



भारत का राजपत्र The Gazette of India

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संख्या 40]

नई दिल्ली, शनिवार, अक्टूबर 5, 1996/आश्विन 13, 1918

No. 40]

NEW DELHI, SATURDAY, OCTOBER 5, 1996/ASVINA 13, 1918

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय
(विधि कार्य विभाग)
(न्यायिक अनुभाग)

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Department of Legal Affairs)

(Judicial Section)

सूचना

NOTICE

नई दिल्ली, 10 सितम्बर, 1996

New Delhi, the 10th September, 1996

का.आ. 2773.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री इस्तकार अली, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन आवेदन इस बात के लिये दिया है कि उसे बुलन्दशहर (उत्तर प्रदेश) में व्यवसाय करने के लिये नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाये।

S.O. 2773.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Istikar Ali, Advocate for appointment as a Notary to practise in Bulandshahar (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[सं. 5(181)/96-न्यायिक]
पी.सी. कण्णन, सक्षम प्राधिकारी

[No. P. 5(181)/96-Judl.]
P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 17 सितम्बर, 1996

का.आ. 2774.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री ईश्वर लाल जगनजी नाईक, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिये दिया है कि उसे गुजरात, महाराष्ट्र, दमन दीव संघक्षेत्र एवं दादरा नगर हवेली में व्यवसाय करने के लिये नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाये।

[सं. 5(171)/96-न्यायिक]
पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 17th September, 1996

S.O. 2774.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Ishverlal Jaganji Naik, Advocate for appointment as a Notary to practise in Gujarat, Maharashtra, U.T. of Daman Diu & Dadra & Nagar Haveli.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(171)/96-Judl.]
P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 17 सितम्बर, 1996

का. आ. 2775.—नोटरीज नियम, 1956 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री ब्रह्म सिंह, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिये दिया है कि उसे कैराना, मुजफ्फरनगर जिला (उत्तर प्रदेश) में व्यवसाय करने के लिये नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाये।

[सं. 5(182)/96-न्यायिक]
पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 17th September, 1996

S.O. 2775.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Brahm Singh, Advocate for appointment as a Notary to practise in Kairana, District Muzaffar Nagar (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(182)/96-Judl.]
P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 17 सितम्बर, 1996

का.आ. 2776.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री राजेन्द्र कुमार शर्मा, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिये दिया है कि उसे लुधियाना (पंजाब) में व्यवसाय करने के लिये नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाये।

[सं. 5(183)/96-न्यायिक]
पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 17th September, 1996

S.O. 2776.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Rajinder Kumar Sharma, Advocate for appointment as a Notary to practise in Ludhiana (Punjab).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(183)/96-Judl.]
P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 19 सितम्बर, 1996

का.आ. 2777.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री भूपण लाल बंसल, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिये दिया है कि उसे कुरुक्षेत्र (हरियाणा) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाये।

[सं. 5(184)/96-न्यायिक]
पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 19th September, 1996

S.O. 2777.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Bhushan Lal Bansal, Advocate for appointment as a Notary to practise in Kurukshetra (Haryana).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(184)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 19 सितम्बर, 1996

का.आ. 2778.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री प्रणव गोविन्दा मजूमदार, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिये दिया है कि उसे लालबाग उपखण्ड (पश्चिम बंगाल) में व्यवसाय करने के लिये नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाये।

[सं. 5(185)/96-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 19th September, 1996

S.O. 2778.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Pranab Gobinda Majumdar, Advocate for appointment as a Notary to practise in Lalbagh Sub-Division (West Bengal).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(185)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 19 सितम्बर, 1996

का.आ. 2779.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री रामा मजूमदार, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिये दिया है कि उसे मैट्रोपोलिटन कोर्ट और बैकशेल स्ट्रीट, कलकत्ता (पश्चिम बंगाल) में व्यवसाय करने के लिये नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(186)/96-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 19th September, 1996

S.O. 2779.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956

that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Rama Majumdar, Advocate for appointment as a Notary to practise in Metropolitan Courts and Bankshall Street in Calcutta (West Bengal).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(186)/96-Judl.]

P. C. KANNAN, Competent Authority

कार्मिक लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक, और प्रशिक्षण विभाग)

नई दिल्ली, 17 सितम्बर, 1996

का.आ. 2780.—खण्ड प्रक्रिया संहिता, 1973 (अधिनियम संख्या 2/1974) की धारा 24(8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री गोपाल सुब्रामण्यम, वरिष्ठ अधिवक्ता, नई दिल्ली को विशेष न्यायाधीश (मुख्य मैट्रोपोलिटन मजिस्ट्रेट, दिल्ली) की अदालत में दिल्ली विशेष पुलिस स्थापना के अपराधिक मामला आर०सी० 1(एस.)/88-एस. आई.यू. 9 की पैरवी के लिये लोक अभियोजक के रूप में नियुक्त करती है।

[सं० 225/52/96-ए.वी.सी.-II]

एस.सी. तिवारी, उप सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS

(Department of Personnel and Training)

New Delhi, the 17th September, 1996

S.O. 2780.—In exercise of the powers conferred by Section 24(8) of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Gopal Subramaniam, Sr. Advocate, New Delhi as Special Public Prosecutor for conducting Criminal Case RC. 1(S)/88-SIU IX of Delhi Special Police Establishment in the Court of Special Judge (Chief Metropolitan Magistrate, Delhi).

[No. 225/52/96-AVD.II]

S. C. TEWARY, Dy. Secy.

वित्त मंत्रालय

(राजस्व विभाग)

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 23 सितम्बर, 1996

का.आ. 2781.—आयकर अधिनियम, 1961 की धारा 36 की उपधारा (1) के खण्ड (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मैसर्स पी.एन.बी. हाउसिंग फाइनेंस लिमिटेड, 9वीं मंजिल, अंतरिक्ष भवन, 22 कस्तूरबा गंधी मार्ग, नई दिल्ली को कर-निर्धारण वर्ष 1996-97 से 1998-99 तक के लिए उक्त खंड के प्रयोजनार्थ एक कम्पनी के रूप में अनुमोदित किया गया है।

यह अनुमोदन इस शर्त पर किया गया है कि कम्पनी आयकर अधिनियम, 1961 की धारा 36(1)(8) के उपबंधों के अनुरूप होगी और उनका अनुपालन करेगी।

[अधिसूचना सं. 10198/का.सं. 204/8/95-मायकर नि.-II]
मालथी आर. श्रीधरन, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 23rd September, 1996

S.O. 2781.—In exercise of the powers conferred by clause (viii) of sub-section (1) of Section 36 of Income tax Act, 1961 Central Government hereby approves M/s. PNB Housing Finance Ltd., 9th Floor, Antriksh Bhawan, 22 Kasturba Gandhi Marg, New Delhi, as a company for the purposes of said clause for assessment years 1996-97 to 1998-99.

The approval is subject to the condition that the company will conform to and comply with the provisions of section 36(1)(viii) of the Income Tax Act, 1961.

[Notification No. 10198/F. No. 204/8/95-ITA-II]
MALATHI R. SRIDHARAN, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 16 सितम्बर, 1996

का.भा. 2782.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 31 मार्च, 1999 तक दि जयपुर केन्द्रीय सहकारी बैंक लि., जयपुर (राजस्थान) पर लागू नहीं होंगे।

[संख्या 1(20)/96-ए.सी.]

सुशील कुमार ठाकुर, अवर सचिव

(Department of Economic Affairs)
(Banking Division)

New Delhi, the 16th September, 1996

S.O. 2782.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India declares that the provisions of Sub-Section 1 of Section 11 of the said Act shall not apply to the Jaipur Central Co-operative Bank Ltd., Jaipur (Rajasthan) from the date of publication of this notification in the official Gazette to 31st March, 1999.

[F. No. 1(20)/96-AC]

S. K. THAKUR, Under Secy.

नई दिल्ली, 17 सितम्बर, 1996

का.भा. 2783.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार

भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 31 मार्च, 1998 तक दि सुरेन्द्रनगर जिला सहकारी बैंक लि., सुरेन्द्रनगर (गुजरात) पर लागू नहीं होंगे।

[फा.सं. 1(31)/96-ए.सी.]

एस.के. ठाकुर, अवर सचिव

New Delhi, the 17th September, 1996

S.O. 2783.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India declares that the provisions of Sub-Section 1 of Section 11 of the said Act shall not apply to the Surendranagar District Co-operative Bank Ltd., Surendranagar (Gujarat) from the date of publication of this notification in the official Gazette to 31st March, 1998.

[F. No. 1(31)/96-AC]

S. K. THAKUR, Under Secy.

नई दिल्ली, 18 सितम्बर, 1996

का.भा. 2784.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 31 मार्च, 1998 तक दि आदिलाबाद जिला केन्द्रीय सहकारी बैंक लि., आदिलाबाद (आन्ध्र प्रदेश) पर लागू नहीं होंगे।

[फा.सं. 1(30)/96-ए.सी.]

एस.के. ठाकुर, अवर सचिव

New Delhi, the 18th September, 1996

S.O. 2784.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India declares that the provisions of Sub-Section 1 of Section 11 of the said Act shall not apply to the Adilabad District Co-operative Bank Ltd., Adilabad (Andhra Pradesh) from the date of publication of this notification in the official Gazette to 31st March, 1998.

[F. No. 1(30)/96-AC]

S. K. THAKUR, Under Secy.

नई दिल्ली, 20 सितम्बर, 1996

का.भा. 2785.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन

की तारीख से 31 मार्च, 1999 तक वि जिला सहकारी केन्द्रीय बैंक मर्यादित, जबलपुर (मध्य प्रदेश) पर लागू नहीं होंगे।

[सं. 1(22)/96-ए.सी.]
एस. के. ठाकुर, अवर सचिव

New Delhi, the 20th September, 1996

S.O. 2785.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India declares that the provisions of Sub-Section 1 of Section 11 of the said Act shall not apply to the Jila Sahakari Kendriya Bank Mydt., Jabalpur (Madhya Pradesh) from the date of publication of this notification in the official Gazette to 31st March, 1999.

[F. No. 1(22)/96-AC]
S. K. THAKUR, Under Secy.

आयकर आयुक्त का कार्यालय, पश्चिम बंगाल-8

सं. 1/96-97

कलकत्ता, 2 जुलाई, 1996

का.आ. 2786.—मुख्य आयकर आयुक्त, कलकत्ता के एफ. सं. आ./मुख्या./योजना/10/95-96 दिनांक 24-11-95 से जारी किए गए अधिसूचना सं. 5/95-96 दिनांक 24-11-95 के अनुसरण में तथा आयकर अधिनियम, 1961 (1962 का 43) की धारा 120 की उपधारा (1) एवं (2) द्वारा प्रवृत्त शक्तियों का तथा इस दिशा में मुझे सक्षम बनाने वाली सभी शक्तियों का प्रयोग करते हुए मैं, आयकर आयुक्त,

पश्चिम बंगाल-8 कलकत्ता एतद्वारा निदेश देता हूँ कि नीचे दिए गए अनुसूची के कॉलम 2 में उल्लिखित निर्धारण अधिकारी तत्काल प्रभाव से उक्त अनुसूची के कॉलम 3 में उल्लिखित मामलों के संबंध में क्षेत्राधिकार का प्रयोग करेंगे।

अनुसूची

क्रम सं०	आयकर अधिकारी का पदनाम	क्षेत्राधिकार
01.	आयकर अधिकारी वार्ड-7, सिलिगुड़ी	(1) आयकर कार्यालय, नए निर्धारित वार्ड, सिलिगुड़ी के विद्यमान निर्धारित जिम्मेदार अपने आय के रिटर्न 31/3/95 तक फाइल किए हैं, तथा जिनके मामलों में प्रथम वर्ष की कार्रवाई समाप्त हो चुकी है ; तथा (2) आयकर कार्यालय, वार्ड-6, सिलिगुड़ी के विद्यमान निर्धारित जो "एस तथा आर" आकाशकों से शुरू होने वाले व्यष्टि मामलों तथा फर्म, आकाशक "एस" से शुरू होने वाले ए.ओ.पी. तथा एच. यू.एफ.।

[सं. III-1/प.ब. 8/रि.जु./95-96/1752]
डी. चक्रवर्ती, आयकर आयुक्त

OFFICE OF THE COMMISSIONER OF INCOME TAX, WEST BENGAL-VIII

No. 1/96-97

Calcutta, the 2nd July, 1996

S.O. 2786:— In pursuance of Notification No. 5/95-96 dated 24-11-95 issued from F.No. AC/HQ/Planning /10/95-96 dated 24-11-95 by the Chief Commissioner of Income Tax, Calcutta and in exercise of the powers conferred by Sub-Sections (1) and (2) of Section 120 of the Income Tax Act, 1961 (43 of 1962) and all other powers enabling me in this behalf, I, the Commissioner of Income Tax, West Bengal-VIII, Calcutta, hereby direct that the Assessing Officer mentioned in Column (2) of the Schedule given below shall exercise the jurisdiction in respect of cases mentioned in the corresponding column 3 of the said Schedule with immediate effect.

SCHEDULE

Sl. No.	Designation of the Income Tax Officer	Jurisdiction
1.	Income Tax Officer, Ward-7, Siliguri	1. Existing assessee of I.T.O. New Assessee's Ward, Siliguri who have filed their returns of income upto 31-3-95 and in whose cases first years' proceedings have been concluded; AND 2. All existing assessee of I.T.O. ward-6, Siliguri in the status of Individual starting with Alphabets 'S' and 'R' & Firms, A.O.Ps and H.U.Fs starting with Alphabet 'S' respectively.

[No. III-1/WB-VIII/Ter. Jur./95-96/1752]
D. CHAKRABARTI, Commissioner of Income tax

सं. 2/96-97

1

2

3

कलकत्ता, 10 जुलाई, 1996

क्र.आ. 2787.—आयकर अधिनियम, 1961 की धारा 120 की उपधारा 1 और 2 द्वारा प्रदत्त शक्तियों तथा इस दिशा में सक्षम बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए मैं, आयकर आयुक्त, प. बंगाल-8, कलकत्ता, एतद्वारा आदेश देता हूँ कि नीचे दिए गए अनुसूची के खाना "2" में उद्धृत निर्धारण अधिकारी तत्काल प्रभाव से उम्मी अनुसूची के तत्समान खाना "3" में उद्धृत मामले के विषय में क्षेत्राधिकार का प्रयोग करेंगे।

अनुसूची

क्र.सं. आयकर अधिकारी के पदनाम		क्षेत्राधिकार
1	2	3
1. आ.अ. वार्ड-1, मालदा/दिनाजपुर	आ.अ. वार्ड-1 मालदा/दिनाजपुर अपने वर्तमान क्षेत्राधिकार के अतिरिक्त एन.ए. वार्ड/मालदा-दिनाजपुर के	

2. आ.अ. वार्ड-2, मालदा/दिनाजपुर

3. आ.अ. वार्ड-3, मालदा/दिनाजपुर

कम्पनी निर्धारित एवं सरकारी वेतनमान मामले के सविदाकार के अन्तर्गत आने वाली क्षेत्राधिकार का भी प्रयोग करेंगे साथ ही वार्ड-2, मालदा-दिनाजपुर के अन्तर्गत वर्तमान मामले के "एस" से शुरू होने वाले क्षेत्राधिकार का प्रयोग करेंगे।

आ.अ. वार्ड-1/दिनाजपुर को सौंपे गए क्षेत्राधिकार को छोड़कर सभी वर्तमान मामले के क्षेत्राधिकार का प्रयोग करेंगे।

आ.अ.एन.ए. वार्ड, मालदा/दिनाजपुर, द्वारा निर्धारित जो ए.एम.पी., एवं एस से शुरू होता है।

[सं. III-1/प.व.-8/टी.ई.आर.जे.यू.आर/95-96]

डी. चक्रवर्ती, आयकर आयुक्त

No. 2/96-97

Calcutta, the 10th July, 1996

S.O. 2787.—In exercise of the powers conferred by Sub-sections 1 & 2 of Section 120 of the Income Tax Act, 61 (43 of 1962) and all other powers enabling me in this behalf, I, the Commissioner of Income Tax, West Bengal-VIII, Calcutta, hereby direct that the Assessing Officer mentioned in Column 2 of the Schedule given below shall exercise the jurisdiction in respect of cases mentioned in the corresponding Col.3 of the said schedule with immediate effect.

SCHEDULE

Sl. No.	Designation of the Income-tax Officer	Jurisdiction
1. I.T.O., Ward-1, Malda/Dinajpur	In addition to existing jurisdiction I.T.O., Ward-1, Malda/Dinajpur will also exercise jurisdiction over the existing assesseees who are contractors; company assesseees and Govt. Salary cases of N.A. Ward/Malda-Dinajpur as also the jurisdiction over existing cases of Ward-2, Malda-Dinajpur starting with alphabet 'S'.	
2. I.T.O., Ward-2, Malda/Dinajpur	He will exercise jurisdiction of all the existing cases excepting those which have been assigned to I.T.O., Ward-1/Dinajpur.	
3. I.T.O., Ward-3, Malda/Dinajpur	All the assesseees hitherto assessed by I.T.O., N.A. Ward, Malda/Dinajpur whose names started with alphabets A, M, P & S.	

[No. III-1/WB-VIII/TER. JUR/95-96]

D. CHAKRABARTI, Commissioner of Income-Tax

विदेश मंत्रालय

नई दिल्ली, 20 सितम्बर, 1996

का.आ. 2788.—राजनयिक कौंसली अधिकारी (शपथ एवम् शुल्क) अधिनियम, 1948 (1948 का 41वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का प्रधान कोसलावास, सान फ्रान्सिस्को में सहायक श्रीमती सुमन चावला 20 सितम्बर, 1996 से सहायक कौंसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।

[टी-4330/2/96]

आई. पी. मोहनन, अवसर सचिव (पी. वी. एस.)

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 20th September, 1996

S.O. 2788.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Smt. Suman Chawla, Assistant in the Consulate General of India, San Francisco to perform the duties of Assistant Consular Officer with effect from 20th September, 1996.

[T. 4330/2/96]

I. P. MOHANAN, Under Secy. (Cons.)

नई दिल्ली, 20 सितम्बर, 1996

का.आ. 2789.—राजनयिक कौंसली अधिकारी (शपथ एवम् शुल्क) अधिनियम, 1948 (1948 का 41वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का प्रधान कोसलावास, सान फ्रान्सिस्को में सहायक श्री वी. एन. त्रिपाठी 20 सितम्बर, 1996 से सहायक कौंसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।

[टी. 4330/2/96]

आई. पी. मोहनन, अवसर सचिव (पी. वी. एस.)

New Delhi, the 20th September, 1996

S.O. 2789.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri V. N. Tripathi, Assistant in the Consulate General of India, San Francisco to perform the duties of Assistant Consular Officer with effect from 20th September, 1996.

[T. 4330/2/96]

I. P. MOHANAN, Under Secy. (Cons.)

नई दिल्ली, 20 सितम्बर, 1996

का.आ. 2790.—राजनयिक कौंसली अधिकारी (शपथ एवम् शुल्क) अधिनियम 1948 (1948 का 41वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का सहायक उच्चायोग, कन्डी में सहायक श्री प्रेम सिंह

20 सितम्बर, 1996 से सहायक कौंसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।

[टी-4330/2/96]

आई. पी. मोहनन, अवसर सचिव (पी. वी. एस.)

New Delhi, the 20th September, 1996

S.O. 2790.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri Prem Singh, Assistant in the Assistant High Commission of Kandy to perform the duties of Assistant Consular Officer with effect from 20th September, 1996.

[T. 4330/2/96]

I. P. MOHANAN, Under Secy. (Cons.)

नई दिल्ली, 20 सितम्बर, 1996

का.आ. 2791.—राजनयिक कौंसली अधिकारी (शपथ एवम् शुल्क) अधिनियम, 1948 (1948 का 41वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का सहायक उच्चायोग, कन्डी में सहायक श्री के. एस. मोहनन 20 सितम्बर, 1996 से सहायक कौंसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।

[टी-4330/2/96]

आई. पी. मोहनन, अवसर सचिव (पी. वी. एस.)

New Delhi, the 20th September, 1996

S.O. 2791.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri K. S. Mohanan, Assistant in the Assistant High Commission of India, Kandy India to perform the duties of Assistant Consular Officer with effect from 20th September, 1996.

[T. 4330/2/96]

I. P. MOHANAN, Under Secy. (Cons.)

मानव संसाधन विकास मंत्रालय

(शिक्षा विभाग)

नई दिल्ली, 24 सितम्बर, 1996

का.आ. 2792.— विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) की धारा 6 की उपधारा (4) के साथ पढ़ी जाने वाली धारा 5 की उपधारा (3) के खंड (ग) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार जामिया मिलिया इस्लामिया के कुलपति प्रो. बशीरुद्दीन अहमद के निवन के कारण रिक्त हुए स्थान पर मंगलौर विश्वविद्यालय के पूर्व कुलपति प्रो. एम. आई. सबरवती को विश्वविद्यालय अनुदान आयोग में तीन वर्षों की अवधि के लिए सवस्य के रूप में नियुक्त करती है।

[सं. एफ. 4-35/96-यू.-1]

डा. आर. वी. वैद्यनाथ अय्यर, अवसर सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Education)

New Delhi, the 24th September, 1996

S.O. 2792.—In exercise of the powers conferred by clause (c) of sub-section (3) of Section 5 read with sub-section (4) of Section 6 of the University Grants Commission Act, 1956 (3 of 1956), the Central Government hereby appoints Prof. M. I. Savadatti, former Vice-Chancellor, Mangalore University as Member of the University Grants Commission for a term of three years against the vacancy caused by the passing away of Prof. Basheeruddin Ahmad, Vice-Chancellor, Jamia Millia Islamia.

[No. F. 4-35/96-U.1]

DR. R. V. VAIDYANATHA AYYAR, Addl. Secy.

नई दिल्ली, 24 सितम्बर, 1996

का. घा. 2793 विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) की धारा 6 की उपधारा (4) के साथ पढ़ी जाने वाली धारा 5 की उपधारा (3) के खंड (ग) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उत्तर पूर्वी पर्वतीय विश्वविद्यालय की प्रो. (श्रीमती) खेरमा

लियंगदो, शिक्षा प्रोफेसर, जिनका कार्यकाल 29-9-96 को समाप्त होगा, के स्थान पर अलीगढ़ मुस्लिम विश्वविद्यालय के मनोविज्ञान विभाग के प्रो. हमीदा अहमद को विश्वविद्यालय अनुदान आयोग में तीन वर्षों की अवधि के लिए सदस्य के रूप में नियुक्त करती है।

[सं. एफ-4-35/96-यू.1]

डा. आर. वी. वैद्यनाथ अय्यर, अपर सचिव

New Delhi, the 24th September, 1996

S.O. 2792.—In exercise of the powers conferred by clause (c) of sub-section (3) of Section 5 read with clause (c) of sub-section (1) of Section 6 of the University Grants Commission Act, 1956 (3 of 1956), the Central Government hereby appoints Prof. Hamida Ahmad, Professor, Department of Psychology, Aligarh Muslim University as Member of the University Grants Commission for a term of three years vice Prof. (Mrs.) Kherma Lyngdoh, Professor of Education in North Eastern Hill University, whose term expires on 29th September, 1996.

[No. F. 4-35/96-U.1]

DR. R. V. VAIDYANATHA AYYAR, Addl. Secy.

कोयला मंत्रालय

नई दिल्ली, 16 सितम्बर, 1996

का. घा. 2794 :—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उपधारा (1) के अधीन भारत सरकार के कोयला मंत्रालय की अधिसूचना सं. का. घा. 2177, तारीख 21 जलाई, 1995 जो भारत के राजपत्र भाग II, खंड 3, उपखंड (ii) तारीख 12 अगस्त, 1995 में प्रकाशित की गई थी, के द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि और अधिकारों के अर्जन करने के अपने आशय की सूचना दी थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और पश्चिमी बंगाल सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 547.000 हेक्टेयर (लगभग) माप वाली भूमि अर्जित की जानी चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न अनुसूची में वर्णित 547.00 हेक्टेयर (लगभग) माप वाली भूमि अर्जित की जाती है।

इस अधिसूचना के अधीन आने वाले क्षेत्र वाले रेखांक का निरीक्षण कलक्टर बर्दवान (पश्चिमी बंगाल) के कार्यालय में या कोयला नियंत्रक, 1, कार्डिसल हाउस स्ट्रीट कलकत्ता के कार्यालय में या निदेशक, (तकनीकी) परियोजना और योजना ईस्टर्न कोलफील्ड्स लिमिटेड, मेक्टोरिया, डाकघर दिशोरगढ़, जिला—बर्दवान (पश्चिमी बंगाल) के कार्यालय में किया जा सकता है।

अनुसूची—1

ब्लाक सोमपुर

रानीगंज कोयला क्षेत्र

(रेखांक सं. ई सी एल/सीजीएम/एसबीए/एसयूआर/लैंड/95/09 तारीख 17 अक्तूबर, 1995)

सभी अधिकार

क्रम सं.	मौजा/ग्राम	अधिकारिता सूची सं.	पुलिस थाना	जिला	क्षेत्र हेक्टेयर में	टिप्पणियां
1	सोनपुर	22	पंडवेश्वर	बर्दवान	86.00	--
कुल क्षेत्र			86.00 हेक्टेयर (लगभग)			

मौजा सोनपुर में अजित किए जाने वाले प्लॉट सं. :—

814 से 843, 844 (भाग), 1461 से 1523, 1525, 1527, 1553, 1584 से 1606, 1545

सीमा वर्णन :—

- क—ए : रेखा “क” बिन्दु अर्थात् सोनपुर मौजा के प्लॉट सं. 1464 के उत्तर पश्चिम कोण से आरंभ होती है और प्लॉट सं. 844 के बिन्दु “ख” पर मिलती है।
- ख—ग—घ : रेखा बिन्दु “ख” से आरंभ होती है और प्लॉट सं. 813 की दक्षिणी पूर्व सीमा के बिन्दु “ग” के साथ-साथ चलती है तथा मौजा सोनपुर के प्लॉट सं. 818 की अधिकारिता सूची सं. 22 के पूर्वी सीमा के बिन्दु “घ” पर मिलती है।
- घ—ङ : रेखा दक्षिणी मौजा बिन्दु “घ” से होते हुए और मौजा सोनपुर के प्लॉट सं. 818 के प्लॉट सीमा से होते हुए हुआ जाती है और दक्षिणी मौजा तथा सोनपुर मौजा के प्लॉट सं. 832 की प्लॉट सीमा पर बिन्दु “ङ” पर मिलती है।
- ङ—च—छ : रेखा बिन्दु “ङ” से आरंभ होती है और प्लॉट सं. 1522 की पूर्वी सीमा के बिन्दु “क” के साथ-साथ जाती है तथा सोनपुर मौजा के प्लॉट सं. 1523 की पूर्वी सीमा पर बिन्दु “छ” पर मिलती है।
- छ—ज—झ : रेखा बिन्दु “छ” से आरंभ होती है और प्लॉट सं. 1523 की दक्षिणी सीमा पर बिन्दु “ज” से होकर जाती है और सोनपुर मौजा के प्लॉट सं. 1521 की दक्षिणी सीमा के बिन्दु “झ” पर मिलती है।
- झ—ञ—ट : रेखा बिन्दु “झ” से आरंभ होती है और प्लॉट सं. 1465 की दक्षिणी सीमा के बिन्दु “ञ” से होकर गुजरती है तथा सोनपुर मौजा के प्लॉट सं. 1464 की दक्षिणी सीमा के बिन्दु “ट” पर मिलती है।
- ट—क : रेखा बिन्दु “ट” से आरंभ होती है और आरंभिक बिन्दु “क” पर मिलती है।

अनुसूची—2

बनबहल ब्लॉक

रानीगंज कोयला क्षेत्र

(रेखांक सं. ईसीएल/सीजीएम/एसबीए/एसयूआर/बीड/95/10 तारीख 17 अक्टूबर, 1995)

सभी अधिकार

क्रम सं.	मौजा/ग्राम	अधिकारिता सूची सं.	पुलिस	जिला	क्षेत्र हेक्टेयर में	टिप्पणियां
1.	बनबहल	26	पंडवेश्वर	बर्धमान	55.00 (लगभग)	—
कुल क्षेत्र 55.00 हेक्टेयर (लगभग)						

मौजा बनबहल में अजित किए जाने वाले प्लॉट सं. :—

79, 78, 770, 771, 772, 81, 775, 776, 777, 778, 750, 751, 752, 753, 754, 755, 768, 769, 80, 82, 85, 86, 99, 220 (भाग), 221 (भाग), 227 (भाग), 230 (भाग), 322, 233, 234, 235, 236, 237, 238, 239, 240 (भाग), 241, 242, 243, 244, 245 (भाग), 249 (भाग), 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 271, 272, 273, 274, (भाग), 275, 276, 369 (भाग), 371, 779, 780, 781, 782, 794, 370, 783, 784, 785, 786, 787, 788, 789, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 764, 616 (भाग), 712, 586 (भाग), 761, 773, 774, 584, 760, 758, 759, 756, 757।

सीमा वर्णन

- क—ख : रेखा मौजा बनबहल की अधिकारिता सूची सं. 26 के प्लॉट सं. 761 की उत्तरी सीमा पर स्थित बिन्दु “क” से आरंभ होती है और मौजा बनबहल की अधिकारिता सूची सं. 26 के प्लॉट सं. 765 की उत्तरी सीमा पर बिन्दु “ख” पर मिलती है।
- ख—ग—घ : रेखा बिन्दु “ख” से आरंभ होती है और प्लॉट सं. 255 पूर्वी कोण की दक्षिणी सीमा के बिन्दु “ग” से होकर गुजरती है और मौजा बनबहल की अधिकारिता सूची सं. 26 के प्लॉट सं. 782 की दक्षिणी सीमा के बिन्दु “घ” पर मिलती है।
- घ—ङ—च : रेखा बिन्दु “घ” से आरंभ होती है और प्लॉट सं. 616 के दक्षिणी पूर्वी कोण बिन्दु “ङ” से होकर जाती है तथा मौजा बनबहल की अधिकारिता सूची सं. 26 के प्लॉट सं. 616 की दक्षिणी सीमा के बिन्दु “च” पर मिलती है।
- च—क : रेखा बिन्दु “च” से आरंभ होती है और आरंभिक बिन्दु “क” पर मिलती है।

अनुसूची—3

हंसडीहा ब्लाक

रानीगंज कोयला क्षेत्र

(रेखांक सं. ईसीएल/सीजीएम/एसबीए/एसयूआर/लैंड/95/11; तारीख 17 अक्टूबर, 1995)

सभी अधिकार

क्र.सं.	मौजा/ग्राम	अधिकारिता सूची सं.	पुलिस थाना	जिला	क्षेत्र हैक्टेयर में	टिप्पणियां
1.	हंसडीहा	27	पंडवेश्वर	वर्दवान	177.00	—
कुल क्षेत्र 177.00 हैक्टेयर (लगभग)						

मौजा हंसडीहा में अर्जित किए जाने वाले प्लॉट सं. :

1 से 26, 876, 877, 892 से 904, 27 से 49, 867, 868, 50 से 93, 869, 870, 871, 872, 873, 94 से 220, 864, 874, 875, 862, 221 से 627, 629 से 860, 861, 865, 866, 878 से 891, 905 से 910, 911, 912

सीमा वर्णन :

- क—ख : रेखा प्लॉट सं. 48 के उत्तरी-पश्चिमी कोण के बिन्दु “क” से आरंभ होती है और मौजा हंसडीहा के प्लॉट सं. 89, अधिकारिता सूची सं. 27 के उत्तर-पूर्व कोण के बिन्दु “ख” पर मिलती है।
- ख—ग—घ : रेखा बिन्दु “ख” से आरंभ होती है और प्लॉट सं. 429 की पूर्वी सीमा के बिन्दु “ग” से होकर जाती है तथा मौजा हंसडीहा के प्लॉट सं. 816 की दक्षिणी सीमा के बिन्दु “घ” पर मिलती है।
- घ—ङ—च : रेखा बिन्दु “घ” से आरंभ होती है और प्लॉट सं. 865 के दक्षिणी पश्चिमी कोण के बिन्दु “ङ” से होकर जाती है तथा मौजा हंसडीहा की अधिकारिता सूची सं. 27 के प्लॉट सं. 1, की उत्तरी सीमा पर बिन्दु “च” पर मिलती है।
- च—छ—ज : रेखा बिन्दु “च” से आरंभ होती है और प्लॉट सं. 28 की उत्तरी सीमा बिन्दु के “छ” से होकर जाती है तथा मौजा हंसडीहा की अधिकारिता सूची सं. 27 के प्लॉट सं. 30 की पश्चिमी सीमा के बिन्दु “ज” पर मिलती है।
- ज—क : रेखा बिन्दु “ज” से आरंभ होती है और आरंभिक बिन्दु “क” पर मिलती है।

ग्राम भालूका में अर्जित किए जाने वाले प्लॉट सं. :—

44 से 84, 243 से 269, 277, 278, 279, 280, 281, 282, 442, 450, 448

सीमा वर्णन :

- क—ख : रेखा प्लॉट सं. 44 की उत्तरी सीमा पर बिन्दु “क” से आरंभ होती है और मौजा भालूका अधिकारिता सूची सं. 21 के प्लॉट सं. 270 की दक्षिणी सीमा पर बिन्दु “ख” पर मिलती है।
- ख—ग—घ : रेखा बिन्दु “ख” से आरंभ होती है और प्लॉट सं. 442 की दक्षिणी सीमा पर बिन्दु “ग” से होकर जाती है तथा मौजा भालूका, अधिकारिता सूची सं. 21, के प्लॉट सं. 44 की दक्षिणी सीमा पर बिन्दु “घ” पर मिलती है।
- घ—ङ : रेखा बिन्दु “घ” से आरंभ होती है और मौजा भालूका के प्लॉट सं. 44 की पश्चिमी सीमा पर बिन्दु “ङ” से होकर जाती है तथा आरंभिक बिन्दु “क” पर मिलती है।

अनुसूची—6

ब्लाक नाबाग्राम

रानीगंज कोयला क्षेत्र

(रेखांक सं. ईसीएल/सीजीएम/एमबीए/लैड/एसयूआर/95/14 तारीख 17 अक्टूबर, 1995)

सभी अधिकार

क्रम सं.	मौजा/ग्राम	अधिकारिता सूची सं.	पुलिस थाना	जिला	क्षेत्र हैक्टेयर में	टिप्पणियां
1.	नाबाग्राम	20	पंडवेश्वर	बदरवात	125.00	—
कुल क्षेत्र 125.00 हैक्टेयर (लगभग)						

मौजा नाबाग्राम में अर्जित किए जाने वाले प्लॉट सं. :—1 से 47, 2091, से 2165, 2296, 2297, 2322, 2298, 2295, 2265, 2264, 2294, 2268, 2293, 2266, 2267, 2290, 2269, 2270, 2271 से 2275, 2282, 2276, 2291, 2327, 1784, 2292, 1782, 1783, 2328, 2329 से 2332, 2001 (भाग), 2002, 2005, 60, 61, 2006, 2007 से 2011, 2027 से 2031, 2033 (भाग), 2012 से 2025, 1969, 1970, 2034 से 2090, 2209, 2244 से 2268, 2262, 2263, 2325, 2326, 2243, 2242 (भाग), 62 से 132, 2333 से 2338, 2346, 2299, 1607, 2339, 1650, 2285, 2166 से 2226, 2228, 2229 से 2241, 2282, 2283, 2284, 2321, 1812, 1813, 1814, 2343, 2320, 2323, 2319, 2378, 1815, 1816, 792 से 850, 1735, 860 से 870, 876, 877, 878, 2227, 164 (भाग), 180, 151 (भाग), 858.

सीमा वर्णन :

- क—ख : रेखा प्लॉट सं. 1 की उत्तरी सीमा पर बिन्दु “क” से आरंभ होती है और मौजा नाबाग्राम अधिकारिता सूची सं. 20 के प्लॉट सं. 2242 की उत्तरी सीमा पर बिन्दु “ख” पर मिलती है।
- घ—ङ—च : रेखा बिन्दु “घ” से आरंभ होती है और प्लॉट सं. 785 की उत्तरी सीमा पर बिन्दु “ङ” से होकर जाती है तथा मौजा नाबाग्राम, अधिकारिता सूची सं. 20, के प्लॉट सं. 2282 की पश्चिमी सीमा पर बिन्दु “च” पर मिलती है।
- च—क : रेखा “च” बिन्दु से आरंभ होती है और आरंभिक बिन्दु “क” पर मिलती है।

अनुसूची—7

ब्लाक कोनारडीही

रानीगंज कोयला क्षेत्र

(रेखांक सं. ईसीएल/सीजीएम/एसबीए/एमयआर/लैंड/95/15 तारीख 17 अक्टूबर, 1995)

सभी अधिकार

क्रम सं.	मौजा/ग्राम	अधिकारिता सूची सं.	पुलिस थाना	जिला	क्षेत्र हेक्टेयर में	टिप्पणियां
1.	कोनारडीही	14	पंडवेष्वर	बर्दवान	15.00	---
कुल क्षेत्र 15.00 हेक्टेयर (लगभग)						

मौजा कोनारडीही में अर्जित किए जाने वाले प्लॉट :—185 से 190, 200 से 237, 145 (भाग), 74 से 78, 239 240, 241, 242 (भाग), 174, 175, 176, 177, 182, 183, 184, 95, 3033, 179, 191 से 199।

सीमा वर्णन :

- क—ख : रेखा प्लॉट सं. 202 की उत्तरी सीमा पर बिन्दु “क” से आरंभ होती है और मौजा कोनारडीही, अधिकारिता सूची सं. 14, के प्लॉट सं. 78 की उत्तरी सीमा के कोण के बिन्दु “ख” पर मिलती है।
- ख—ग—घ : रेखा बिन्दु “ख” से आरंभ होती है और प्लॉट सं. 76 के दक्षिणी पूर्वी कोण पर बिन्दु “ग” से होकर जाती है तथा मौजा कोनारडीही अधिकारिता सूची सं. 14, के प्लॉट सं. 95 के दक्षिणी पूर्वी कोण के बिन्दु “घ” पर मिलती है।
- घ—ङ—क : रेखा बिन्दु “घ” से आरंभ होती है और प्लॉट सं. 3033 के दक्षिणी पूर्वी कोण पर बिन्दु “ङ” से होकर जाती है तथा मौजा की सीमा से होकर जाती है और आरंभिक बिन्दु “क” पर मिलती है।

[फा. सं. 43015/17/93 एल. एस. डब्ल्यू.]
श्रीमती पी. एल. सेनी, अवर सचिव

MINISTRY OF COAL

New Delhi, the 16th September, 1996

S.O. 2794.—Whereas by the notification of the Government of India in the Ministry of Coal, No. S.O. 2177, dated the 21st July, 1995, published in the Gazette of India, Part-II, Section-3, Sub-section (ii), dated the 12th August, 1995, issued under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government gave notice of its intention to acquire the lands and rights in locality specified in the Schedule annexed to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the report aforesaid and after consulting the Government of West Bengal, is satisfied that the lands measuring 547.00 hectares (approximately) described in the the Schedule appended hereto should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 547.00 hectares (approximately) described in the Schedule appended hereto are hereby acquired;

The plan of the area covered by this notification may be inspected in the office of the Collector, Burdwan (West Bengal) or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the office of the Direc-

tor (Technical), Project and Planning, Eastern Colfields Limited, Sanctoria, Post Office Dishergarh, District Burdwan (West Bengal).

SCHEDULE 1
SONEPUR BLOCK
RANIGANJ COALFIELDS

(Plan number ECL/CGM/SBA/SUR/LAND/95/09, dated the 17th October, 1995)

All Right

Serial number	Mouza/Village	Jurisdiction list number	Police Station	District	Area in hectares	Remarks
1.	Sonepur	22	Pandaveswar	Burdwan	86.00	
Total area :—86.00 hectares (approximately)						

Plots to be acquired in Mouza Sonepur :—814 to 843, 844 (P), 1461 to 1523, 1525, 1527, 1553, 1584 to 1606, 1545.

Boundary description :—

- A—B Line starts from point 'A' i.e. North West corner of plot number 1464 of Sonepur Mouza and meets at point 'B' on plot number 844.
- B—C—D Line starts from point 'B' and passes along point 'C' South East boundary of plot number 813 and meets at point 'D' Eastern boundary of plot number 818 of Sonepur Mouza, Jurisdiction list number 22.
- D—E. Line passes through point 'D' Southern Mouza and plot boundary of plot number 818 of Sonepur Mouza and meets Southern Mouza and plot boundary of plot number 832 of Sonepur Mouza at point 'E'.
- E—F—G. Line starts from point 'E' and passes along point 'F' Eastern boundary of plot number 1522 and meets at Eastern boundary of plot number 1523 of Sonepur Mouza at point 'G'.
- G—H—I. Line starts from point 'G' and passes through point 'H' Southern boundary of plot number 1523 and meets at point 'I' the Southern boundary of plot number 1521 of Sonepur Mouza.
- I—J—K. Line starts from point 'I' and passes through point 'J' the Southern boundary of plot number 1465 and meets at point 'K' the Southern boundary of plot number 1464 of Sonepur Mouza.
- K—A. Line starts from point 'K' and meets at starting point 'A'.

THE SCHEDULE 2
BANBAHAL BLOCK
RANIGANJ COALFIELDS

(Plan number ECL/CGM/SBA/SUR/LAND/95/10, dated 17th October, 1995)

All Rights

Serial number	Mouza Village	Jurisdiction list number	Police station	District	Area in hectares	Remarks
1.	Banbahal	26	Pandaveswar	Burdwan	55.00	(approximately)
Total Area :—						55.00 hectares (approximately)

Plot to be acquired in Mouza Banbahal :—

79, 78, 770, 771, 772, 81, 775, 776, 777, 778, 750, 751, 752, 753, 754, 755, 768, 769, 80, 82, 85, 86, 99, 220(P), 221(P), 227(P), 230(P), 322, 233, 234, 235, 236, 237, 238, 239, 240(P), 241, 242, 243, 244, 245(P), 249(P), 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 271, 272, 273, 274(P), 275, 276, 369(P), 371, 779, 780, 781, 782, 794, 370, 783, 784, 785, 786, 787, 788, 789, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 764, 616(P), 712, 586(P), 761, 773, 774, 584, 760, 758, 759, 756, 757.

Boundary description :—

- A—B. Line starts from point 'A' situated at Northern boundary of plot number 761 of Banbahal Mouza Jurisdiction List Number 26 and meets at point 'B' Northern boundary of plot number 765 of Banbahal Mouza Jurisdiction list number 26.
- B—C—D. Line starts from point 'B' and passes through point 'C' the Southern boundary Eastern Corner of plot number 255 and meets at point 'D' the Southern boundary of plot number 782 of Banbahal Mouza, Jurisdiction List number 26.
- D—E—F.. Line starts from point 'D' and passes through point 'E' South East corner of plot number 616 and meets at point 'F' Southern boundary of plot number 616 of Banbahal Mouza, Jurisdiction list number 26.
- F—A. Line starts from point 'F' and meets at starting point 'A'.

SCHEDULE-3

HANSDIHA BLOCK RANIGANJ COALFIELDS

(Plan number ECL/CGM/SBA/SUR/LAND/95/11, dated 17th October, 1995)

All Rights

Serial number	Mouza/Village	Jurisdiction list number	Police station	District	Area in hectares	Remarks
1.	Hansdiha	27	Pandaveswar	Burdwan	177.00	
Total area :—177.00 hectares						(approximately)

Plots to be acquired in Mouza Hansdiha :—1 to 26, 876, 877, 892 to 904, 27 to 49, 867, 868, 50 to 93, 869, 870, 871, 872, 873, 94 to 220, 864, 874, 875, 862, 221, to 627, 629 to 860, 861, 865, 866, 878 to 891, 905 to 910, 911, 912.

Boundary description :—

- A—B. Line starts from point 'A' the North-West corner of plot number 48 and meets at point 'B' the North-East corner of plot number 89 of Hansdiha Mouza, Jurisdiction list number 27.
- B—C—D. Line starts from point 'B' and passes through point 'C' the Eastern boundary of plot number 429 and meets at point 'D' the Southern boundary of plot number 816 of Hansdiha Mouza.
- D—E—F. Line starts from point 'D' and passes through point 'E' the South-West corner of plot number 865 and meets at point 'F' at Northern boundary of plot number 1 of Mouza Hansdiha, Jurisdiction list number 27.
- F—G—H. Line starts from point 'F' and passes through point 'G' the Northern boundary of plot number 28 and meets at point 'H' the Western boundary of plot number 20 of Hansdiha Mouza, Jurisdiction list number 27.
- H—A. Line starts from point 'H' and meets at starting point 'A'.

SCHEDULE-4

SANKARPUR BLOCK

RANIGANJ COALFIELDS

(Plan number ECL/CGM/SBA/SUR/LAND/95/12, dated 17th October, 1995)

All Rights

Serial Mouza/ number Village	Jurisdiction list number	Police station	District	Area in hectares	Remarks
1. Sankarpur	28	Pandaveswar	Burdwan	77.00	
Total area : 77.00 hectares					(approximately)

Plots to be acquired in Mouza Sankarpur:—1 to 203, 206, 207, 220, 221, 222, 223, 224, 246, 248, 260(P) 520, 521, (P), 522, 525, 526, to 533, 1257, 1258, 1259, 1256, 1250, 1254, 1367, 1252, 1262, 1261, 534 to 552 554, 576, to 592, 730 to 754, 1255, 1263, 189, 204, 205, 209 to 214, 495 to 519, 523, 524, 555, to 575, 601, 602, 603 to 610. 613, 729, 592 to 599, 755 to 773, 704, 775, 776, 777, 778, 779, 1276, 811 to 816, 1266, 1267, 821 to 858, 1264, 1265, 600, 1251, 1260, 208, 553, 702, 705, 706, 707, 708, 718, 719 to 723, 623, 624,

Boundary description:—

A-B. Line starts from point 'A' the North-East corner of plot number 1 and meets at point 'B', the North-West corner of plot number 735 of Sankarpur Mouza, Jurisdiction list number 28.

B-C-D. Line starts from point 'B' and passes through the point 'C' the North-East corner of plot number 743 and meets at the point 'D' the North-East corner of plot number 859 of Sankarpur Mouza Jurisdiction list number 28.

D-E-F. Line starts from point 'D' and passes through point 'E' the South-East corner of plot number 495 and meets at point 'F' the South-West corner of plot number 260 of Sankarpur Mouza, Jurisdiction list number 28.

F-G-A. Line starts from point 'F' and passes through point 'G' the South-West corner of plot number 30 of Sankarpur Mouza and meets at the starting point 'A'.

SCHEDULE-5

BHALUKA BLOCK

RANIGANJ COALFIELDS

(Plan number ECL/CGM/SBA/SUR/LAND/95/13, dated the 17th October, 1995)

All Rights

Serial number.	Mouza/ Village	Jurisdiction list number	Police Station	District	Area in hectares	Remarks
1.	Bhaluka	21	Pandaveswar	Burdwan	12.00	
Total area:—					12.00 hectares	(approximately)

Plots to be acquired in village Bhaluka:— 44 to 84, 243 to 269, 277, 278, 279, 280, 281, 282, 442, 450 448.
Boundary description:—

A-B. Line starts from point 'A' the Northern boundary of plot number 44 and meets at point 'B' the Southern boundary of plot number 270 of Bhaluka Mouza, Jurisdiction list number 21.

B-C-D. Line starts from point 'B' and passes through point 'C' the Southern boundary of plot number 442 and meets at point 'D' the Southern boundary of plot number 44 of Bhaluka Mouza, Jurisdiction list number 21.

D-E-A. Line starts from point 'D' and passes through point 'E' the Western boundary of plot number 44 of Bhaluka Mouza and meets at starting point 'A'.

SCHEDULE-6

NABAGRAM BLOCK

RANIGANJ COALFIELDS

(Plan number ECL/CGM/SBA/LAND/SUR/95/14, dated 17th October, 1995)

All Rights

Serial number	Mouza/Village	Jurisdiction list number	Police station	District	Area in hectares	Remarks
1.	Nabagram	20	Pandaveswar	Burdwan	125.00	
Total area —125.00 hectares (approximately)						

Plots to be acquired in Mouza Nabagram:—1 to 47, 2091 to 2165, 2296, 2297, 2322, 2298, 2295, 2265, 2264, 2294, 2268, 2293, 2266, 2267, 2290, 2269, 2270, 2271 to 2275, 2282, 2276, 2291, 2327, 1784, 2292, 1782, 1783, 2328, 2329 to 2332, 2001(P), 2002, 2005, 60, 61, 2006, 2007 to 2011, 2027 to 2031, 2033(P), 2012 to 2025, 1969, 1970, 2034 to 2090, 2209, 2244 to 2268, 2262, 2263, 2325, 2326, 2243 2242(P), 62 to 132, 2333 to 2338, 2346, 2299, 1607, 2339, 1650, 2285, 2166 to 2226, 2228, 2229 to 2241, 2282, 2283, 2284, 2321, 1812, 1813, 1814, 2343, 2320, 2323, 2319, 2378, 1815, 1816, 792 to 850, 1735, 860 to 870, 876, 877, 878, 2227, 164(P), 180, 151(P) 858

Boundary description:—

- A—B. Line starts from point 'A' the Northern boundary of plot number 1 and meets at point 'B' the Northern boundary of plot number 2242 of Nabagram Mouza, Jurisdiction list number 20.
- B—C—D. Line starts from point 'B' and passes through point 'C' the Eastern boundary of plot number 1969 and meets at point 'D' the Southern boundary of plot number 878 of Nabagram Mouza.
- D—E—F. Line starts from point 'D' and passes through point 'E' the Northern boundary of plot number 785 and meets at point 'F' the Western boundary of plot number 2282 of Nabagram Mouza, Jurisdiction list number 20.
- F—A. Line starts from point 'F' and meets at the starting point 'A'.

THE SCHEDULE-7

KONARDIHI BLOCK

RANIGANJ COALFIELDS

(Plan number ECL/CGM/SBA/SUR/LAND/95/15, dated the 17th October, 1995)

All Rights

Serial number	Mouza/Village	Jurisdiction list number	Police station	District	Area in hectares	Remarks
1.	Konardihi	14	Pandaveswar	Burdwan	15.00	
Total area :—15.00 hectares (approximately)						

Plots to be acquired in Mouza Konardihi:— 185 to 190, 200 to 237, 145(P), 74 to 78, 239, 240, 241, 242(P), 174, 175, 176, 177, 182, 183, 184, 95, 3033, 179, 191 to 199.

Boundary description:—

- A—B. Line starts from point 'A' the Northern boundary of plot number 202 and meets at point 'B' the Northern boundary corner of plot number 78 of Konardihi Mouza, Jurisdiction list number 14.

- B-C-D. Line starts from point 'B' and passes through point 'C' the South-East corner of plot number 76 and meets at point 'D' the South-East corner of plot number 95 of Konardihi Mouza, Jurisdiction list number 14.
- D-E-A. List starts from point 'D' and passes through the point 'E' the South-East corner of plot number 3033 and passes through the Mouza boundary and meets at starting point 'A'.

[F. No. 43015/17/93-LSW]
Mrs. P.L. SAINI, Under Secy.

आदेश

नई दिल्ली, 18 सितम्बर, 1996

का.आ. 2795.—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा की उपधारा (1) के अधीन निकाली गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का. आ. 3372, तारीख 24 नवम्बर, 1995 के, भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii), तारीख 30 दिसम्बर, 1995 में प्रकाशित होने पर, उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि और भूमि में या उस पर के अधिकार (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है) उक्त अधिनियम की धारा 10 की उपधारा (1) के अधीन, सभी विलक्षणों से मुक्त होकर, आत्यंतिक रूप से केन्द्रीय सरकार में निहित हो गये थे,

और, केन्द्रीय सरकार का यह समाधान हो गया है कि साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, बिलासपुर (मध्य प्रदेश) सरकारी कंपनी (जिसे इसमें इसके पश्चात् उक्त सरकारी कंपनी कहा गया है), ऐसे निबंधनों और शर्तों का, जो केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिये राजमंड है,

अन अथ, केन्द्रीय सरकार, उक्त अधिनियम की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि इस प्रकार निहित उक्त भूमि और उक्त भूमि में या उस पर के अधिकार, तारीख 30 दिसम्बर, 1995 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने की वजाह, निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, उक्त कंपनी में निहित हो जायेंगे, अर्थात् :—

(1) उक्त कंपनी उक्त अधिनियम के उपबन्धों के अधीन आधारित प्रतिकर, व्याज, नुकसानी और दंडी ही मदों की बाबत किये गये सभी संशयों की केन्द्रीय सरकार की प्रतिपूर्ति करेगी।

(2) उक्त कंपनी द्वारा शर्त (1) के अधीन, केन्द्रीय सरकार को संदेह रक्तों का अवधारण करने के प्रयोजन के लिये एक अधिकरण का गठन किया जायेगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता के लिये निम्न व्यक्तियों के संबंध में उपगत सभी राय,

उक्त कंपनी बहुत करेगी और इसी प्रकार, इस प्रकार निहित उक्त भूमि में या उस पर के अधिकारों के लिये या उनके संबंध में सभी विधिक कार्यवाहियों, जैसे अपील आदि की बाबत उपगत सभी व्यय भी, उक्त कंपनी बहुत करेगी,

(3) उक्त कंपनी, केन्द्रीय सरकार या उसके पदाधिकारियों को ऐसे किसी अन्य व्यय के संबंध में, जो इस प्रकार निहित उक्त भूमि में या उस पर के अधिकारों के बारे में, केन्द्रीय सरकार या उसके पदाधिकारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो, क्षतिपूर्ति करेगी,

(4) उक्त कंपनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उक्त भूमि अधिकार किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी, और

(5) उक्त कंपनी, ऐसे निदेशों और शर्तों का, जो केन्द्रीय सरकार द्वारा जब कभी आवश्यक हो, उक्त भूमि के विशिष्ट क्षेत्रों के लिये दिये जायें या आरोपित की जायें, पालन करेगी।

[फा.सं. 43015/15/93 एल.एस. डब्ल्यू.]

श्रीमती पी.एल. सैनी, अवर सचिव

ORDER

New Delhi, the 18th September, 1996

S.O. 2795.—Whereas on the publication the notification of the Government of India in the Ministry of Coal number S.O. 3372, dated 24th November, 1995 in the Gazette of India, Part II, Section 3, Sub-section (ii), dated 30th December, 1995 issued under sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the land and rights in or over the lands described in the Schedule appended to the said notification (hereinafter referred to as the said lands) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of section 10 of the said Act.

And whereas the Central Government is satisfied that the South Eastern Coalfields Limited, Bilaspur (Madhya Pradesh) (hereinafter referred to as the said Company), a Government Company, is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 11 of the said Act, the Central Government hereby directs that the said lands and rights in or over the said lands so vested shall, with effect from 30th December, 1995 instead of continuing to so vest in

the Central Government, vest in the said Company, subject to the following terms and conditions, namely :—

- (1) The said company shall reimburse the Central Government all payments made, in respect of compensation, interest, damages and the like, as determined under the provisions of the said Act,
- (2) A tribunal shall be constituted for the purpose of determining the amounts payable to the Central Government by the said Company under condition (1), and all expenditure incurred in connection with any such tribunal, and persons appointed to assist the tribunal shall be borne by the said Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals, etc. for or in connection with the rights in or over the said lands, so vesting shall also be borne by the said Company;
- (2) The said company shall indemnify the Central Government or its official against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its official regarding the rights in or over the said lands so vesting;
- (4) The said company shall have no power to transfer the said lands to any other persons without the previous approval of the Central Government; and
- (5) The said company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said lands, as and when necessary.

[No. 43015/15/93-LSW]

MRS. P. L. SAINI, Under Secy.

CORRIGENDA

New Delhi, the 18th September, 1996

S.O. 2796.—In the notification of the Government of India in the Ministry of Coal number S.O. 519 dated the 23rd January, 1996 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 24th February, 1996 at pages 621 to 625,—

at page 624,—

(a) in line 23,—

(i) for “73” read “273”

(ii) for “344” read “334”,

(b) in line 26, for “1212” read “1122”,

(c) in line 30, for “1619 to 1632” read “1619, 1632”,

(d) in line 35, after “1633” insert “1634”; and at page 625, in line 6,—

(a) for “4610” read “46, 10”,

(b) for “and village” read “in village”.

[No. 43015/3/91-LSW]

MRS. P. L. SAINI, Under Secy.

शुद्धि पत्र

नई दिल्ली, 19 सितम्बर, 1996

का.आ. 2797.—भारत के राजपत्र, तारीख 11 मई, 1996 के भाग-2, खंड-3, उपखंड (ii) में पृष्ठ क्रमांक 1675 से 1677 पर प्रकाशित भारत सरकार, कोयला मंत्रालय की अधिसूचना 1407 तारीख 25 अप्रैल, 1996 में,

पृष्ठ क्रमांक 1675 अधिसूचना में,

टिप्पण 1, पंक्ति 4, “बिलासपुर-49500” के स्थान पर “बिलासपुर-495001” पढ़ें।

टिप्पण 2, पंक्ति 1, —“की धारा 9” के स्थान पर धारा “8” पढ़ें।

पृष्ठ क्रमांक-1676, अनुसूची में, तहसील स्तंभ के नीचे, क्रम संख्या 2, “कटघोरा” के स्थान पर “कटघोरा” पढ़ें।

ग्राम डोंगानाला (भाग) में अर्जित किये जाने वाले प्लॉट संख्यांक में, पंक्ति 2, “84, 75” के स्थान पर “84, 85” पढ़ें।

ग्राम करतालाला (भाग) में अर्जित किये जाने वाले प्लॉट संख्यांक में, पंक्ति 1, “1 से 27, 27 (भाग)” के स्थान पर “1 से 27, 28 (भाग)” पढ़ें।

पृष्ठ क्रमांक-1677, सीमा वर्णन में, रेखा ड-व-छ, पंक्ति 3, “39, 130” के स्थान पर “39, 74, 39, 120” पढ़ें।

[फा.सं. 43015/19/94-एल.एस. डब्ल्यू.]

श्रीमती प्रेम लता सैनी, अवर सचिव

CORRIGENDA

New Delhi, the 19th September, 1996

S.O. 2797.—In the notification of the Government of India in the Ministry of Coal number S.O. 1407 dated the 25th April, 1996, published at pages 1677-1679 of the Gazette of India, Part-II, Section-3, Sub-section (ii), dated the 11th May, 1996,—

(A) at page 1678, under the heading “Boundary Description”, under the sub-heading “B-C-C1”, in line 10, for “342, 325” read “342, 324, 325”;

(B) at page 1679, in line 4, for “15, 14, 12” read “15, 14, 13”.

[No. 43015/19/94-LSW]

MRS. P. L. SAINI, Under Secy.

शुद्धि पत्र

नई दिल्ली, 23 सितम्बर, 1996

का.आ. 2798.—भारत के राजपत्र, तारीख 15 जून, 1995 के भाग-2, खंड-3 उपखंड (ii) में पृष्ठ संख्या 2109 एवं 2110 पर प्रकाशित भारत सरकार, कोयला मंत्रालय की अधिसूचना का.आ. संख्या 1751 तारीख 15 मई, 1996 में पृष्ठ संख्या 2109 अनुसूची में, तहसील स्तंभ के नीचे,

क्रम संख्या 1, “कटघोरा” के स्थान पर “कटघोरा” पढ़ें और जहां कहीं भी “कटघोरा” शब्द प्रयुक्त हुआ हो उसके स्थान पर “कटघोरा” पढ़ें।

[फा.सं. 43015/2/96/एल.एस. डब्ल्यू.]

श्रीमती प्रेम लता सैनी, अवर सचिव

CORRIGENDA

New Delhi, the 23rd September, 1996

S.O. 2798.—In the notification of the Government of India in the Ministry of Coal number S.O. 1751, dated

the 15th May, 1996, and published at pages 2110 to 2111 of the Gazette of India Part-II, Section-3, Sub-Section (ii) dated the 15th June, 1996,—

at page 2110, under the heading "Schedule", in line 3, for "(Madhya Pradesh)" read "(Madhya Pradesh)";
at page 2111, in the Table in column 4, under the sub-heading "Tahsil",

(1) against Serial No. 4, for "Katghola" read "Katghora";

(2) against Serial No. 5, for "Katghola" read "Katghora";

in block 'B' under the sub-heading "Total" from 23,328 hectares" read "28,328 hectares"

In the sub-heading "Grand Total", for "106.36 Acres" read "1060.36 Acres".

[No. 43015/296-LSF]

MRS. P. L. SAINI, Under Secy.

शुद्धि पत्र

नई दिल्ली, 23 सितम्बर, 1996

का.प्र. 2799.—भारत के राजपत्र तारीख 3 फरवरी, 1996 के भाग-2, खंड-3, उपखंड (ii) में पृष्ठ 374 एवं 375 पर प्रकाशित भारत सरकार कोयला मंत्रालय की अधिसूचना का.प्र. 296 तारीख 17 जनवरी, 1996 में :—

पृष्ठ क्रमांक 375:—तालिका में तहसील स्तंभ के नीचे क्रम संख्या 1 "बराघोड़ा" के स्थान पर "बरघोड़ा" पढ़े।

क्रम संख्या 4 "पुरी" के स्थान पर "पुरी" पढ़े।

नई दिल्ली, 23 सितम्बर, 1996

का.प्र. 2800.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) के अधीन भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 11 मार्च, 1995 में प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.प्र. 622 तारीख 13 फरवरी, 1995 द्वारा उस अधिसूचना से उपखंड अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 11.934 हेक्टेयर (लगभग) या 29.490 एकड़ (लगभग) है, कोयले का पूर्वेक्षण करने के अपने आशय की सूचना दी थी,

केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि के एक भाग में कोयला अभिप्राय है,

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए इससे संलग्न अनुसूची में वर्णित 6.196 हेक्टेयर (लगभग) या 15.310 एकड़ (लगभग) माप की भूमि में खनिजों के अन्तर्ग, खदान, बोर करने, खुदाई करने और खनिजों की तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी,

टिप्पणी 1 : इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक संख्या सी-1(ई) 3/जी.प्रार./597-1195, तारीख 6 नवम्बर, 1995 का निरीक्षण कलक्टर छिदवाड़ा (मध्य प्रदेश) के कार्यालय या कोयला नियंत्रक 1, कार्जिल हाउस स्ट्रीट, कलकत्ता (पिन-700001) के कार्यालय, या वैस्टन कोलफील्ड्स लिमिटेड (राजस्थान अनुभाग) कोयला, एस्टेट, सिविल लाईन्स, नागपुर-440001 (महाराष्ट्र) के कार्यालय में किया जा सकता है।

टिप्पणी 2 : पूर्वोक्त अधिनियम की धारा के उपबन्धों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबन्ध हैं :

8, अर्जन के प्रति आक्षेप :—

(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हिजबूद है, अधिसूचना के जारी किये जाने से तीस दिन के भीतर संपूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उसपर के किसी अधिकारों का अर्जन किये जाने के बारे में आपत्ति कर सकेगा।

सीमा वर्णन में, रेखा घ-ड, "दक्षिणी जिला" के स्थान पर "दक्षिणी सीमा" पढ़ें।

[फा.सं. 43015/12/95-एल.एस. डब्ल्यू.]

श्रीमती प्रेम लता सैनी, अवर सचिव

CORRIGENDUM

New Delhi, the 23rd September, 1996.

S.O. 2799.—In the notification of the Government of India in the Ministry of Coal number S.O. 296, dated 17th January, 1996, published at pages 375 to 376 of the Gazette of India, Part-II, Section-3, Sub-section (ii), dated the 3rd February, 1996,

at page 376,

in line 2, for "Office of the co" read "Office of the Coal";

in line 4, for "Bil spur" read "Bilaspur";

in line 6, for "South Eastli" read "South Eastern";

in line 2, in the Schedule, for "Mad. Raigl" read "Mad Raigarh";

in column Tahsil, against serial number 3, for "Ch'gghoa" read "Charghoda";

in column Area in hectare, against serial number 5, for "0.94.963" read "094.963";

in the boundary description A-B-C, in line 2, for "passes laong" read "Passes along".

[F. No. 43015/12/95-LSW]

MRS. P. L. SAINI, Under Secy.

स्वच्छीकरण—इस धारा के अधीनगत किसी व्यक्ति द्वारा, यह आपत्ति नहीं मानी जायेगी कि उस भूमि में कोयला उत्पादन के लिये खनन सन्धियायें वह स्वयं करना चाहता है और ऐसी सन्धियाएँ, केन्द्रीय सरकार या किसी अन्य व्यक्ति द्वारा नहीं की जाती चाहिए।

(2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जायेगी और सक्षम प्राधिकारी आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी प्रतिरिक्त जांच यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझे वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या किसी ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या इस पर के अधिकारों के संबंध में आपत्तियों पर, अपत्तियों, सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिये देगा।

(3) इस धारा के प्रयोजन के लिये, वह व्यक्ति किसी भूमि में हितवत्क समझा जायेगा जो प्रतिकर में भूमि का दायरा करने का हकदार होकर यदि वह भूमि या ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिये जाते हैं।

टिप्पणी 3 : केन्द्रीय सरकार द्वारा इस अधिनियम के अधीन कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता को सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

सेठिया ब्लॉक—I और II (खंड-1)

पेंच क्षेत्र

जिला : छिदवाड़ा (मध्य प्रदेश)

रेखंक सं. सी-I(ई) III/जे.आर./597-1/195, तारीख 6 नवम्बर, 1995.

(खनन अधिकार)

क्र.सं.	ग्राम का नाम	पट्टाकारी सफल सं.	बंध्येत्र संख्या	तहसील	जिला	क्षेत्र हेक्टेयर में	टिप्पणियां
1.	सेठिया	72	583	पारासिया	छिदवाड़ा	2.655	भाग
2.	डिण्डानी	79	268	पारासिया	छिदवाड़ा	3.541	भाग

कुल क्षेत्र : 6.196 हेक्टेयर (लगभग)

या : 15.310 एकड़ (लगभग)

ग्राम सेठिया में अर्जित किये जाने वाले प्लॉट संख्याएं

245 भाग, 246

ग्राम डिण्डानी में अर्जित किये जाने वाले प्लॉट संख्याएं

197 भाग, 198 भाग, 274 भाग

सीमा वर्णन :

अ-अ रेखा "अ" बिन्दु से प्रारम्भ होती है और पेंच नदी के पश्चिमी किनारे के साथ-साथ डिण्डानी ग्राम से होकर जाती है और प्लॉट सं. 274, 198 की बाह्य सीमा के साथ चकते हुए "अ" बिन्दु पर मिलती है।

अ-ट रेखा ग्राम डिण्डानी से होकर जाती है, पेंच नदी पार करती है और प्लॉट सं. 198, 197 से होकर जाती है, तब ग्राम सेठिया से होते हुए प्लॉट सं. 245 में आगे बढ़ती है और "ट" बिन्दु पर मिलती है।

ट-ठ रेखा, पेंच नदी के पूर्वी किनारे के साथ-साथ ग्राम सेठिया से होकर जाती है और प्लॉट सं. 245, 246 की बाह्य सीमा के साथ-साथ जाती है और "ठ" बिन्दु पर मिलती है।

ठ-ड रेखा ग्राम सेठिया और डिण्डानी की सम्मिलित ग्राम सीमा के साथ-साथ चकती है पेंच नदी पार करती है और पेंच नदी के मध्य में "ड" बिन्दु पर मिलती है।

- ब-ब रेखा ग्राम छिदा और डिबवानी की सम्मिलित सीमा के साथ साथ पेंच नदी के मध्य से होते हुए जाती है और "ब" बिन्दु पर मिलती है।
- ब-स रेखा प्लॉट संख्या 274 में ग्राम डिबवानी से होकर जाती है। पेंच नदी पार करती है और आरंभिक बिन्दु "स" पर मिलती है।

[सं. 43015/12/94-एल.एस. डब्ल्यू.]

श्रीमती पी. एल. सैनी, अवर सचिव

New Delhi, the 23rd September, 1996

S.O. 2800.—Whereas by the notification of the Government of India in the Ministry of Coal No. S.O. 622 dated the 13th February, 1995, published in the Gazette of India, Part-II, Section-3, Sub-Section (ii) dated the 11th March, 1995 under sub-section (i) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government gave notice of its intention to prospect for coal in 11.934 hectares (approximately) or 29.490 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And whereas the Central Government is satisfied that coal is obtainable in a part of said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the rights to mine, quarry, bore, dig and search for win, work and carry away minerals in the lands measuring 6.196 hectares (approximately) or 15.310 acres (approximately) described in the Schedule appended hereto;

Note 1 :—The plan, bearing No. C-1(E) III/GR/597-1195 dated the 6th November, 1995 of the area covered by this notification may be inspected in the Office of the Collector, Chhindwara, (Madhya Pradesh) or in the Office of the Coal Control or, 1, Council House Street, Calcutta (PIN 700 001) or in the Office of the Western Coalfields Limited (Revenue Section), Coal-Estate, Civil Lines, Nagpur-400 001 (Maharashtra).

Note 2 :—Attention is hereby invited to the provisions of section 8 of the aforesaid Act, which provides as follows :

"8. Objections to Acquisition:

(1) Any person interested in any land in respect of which a notification under section 7 has been issued may within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation:—

It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further enquiry, if any, as he thinks necessary, will make a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.

(3) For the purpose of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

Note 3 :—The Coal Controller, 1, Council House Street, Calcutta has been appointed by the Central Government as the competent authority under the Act.

SCHEDULE

SETHIA BLOCK—I AND II—(BLOCK—I)

PENCH AREA

DISTRICT ; CHHINDWARA (MADHYA PRADESH)

(Plan No. C-1(E) III/GR/597-1195 dated the 6th November, 1995)

(Mining Rights)

Serial number	Name of Village	Patwari circle number	Settlement number	Tahsil	District	Area in hectares	Remarks
1.	Sethia	72	583	Parasia	Chhindwara	2.655	Part
2.	Dighawani	70	266	Parasia	Chhindwara	3.541	Part
Total area :						6.196	
						hectares	
						(approximately)	
or						15.310 acres	
						(approximately)	

Plot numbers to be acquired in village Sethia ;

245 Part, 246,

Plot numbers to be acquired in village Dighawani ;

197 Part, 198 Part, 274 Part.

Boundary description ;

- I—J Line starts from point 'I' and passes through village Dighawani along the Western Bank of Pench River and passes along the outer boundary of Plot numbers 274, 198 and meets at point 'J'.
- J—K Line passes through village Dighawani crosses Pench River and passes in plot numbers 198, 197, then proceeds through village Sethia in Plot number 245 and meets at point 'K'.
- K—L Line passes through village Sethia along the Eastern bank of Pench River and passes along the outer boundary of plot numbers 245, 246 and meets at point 'L'.
- L—M Line passes along the common village boundary of villages Sethia and Chhinda, Crosses Pench River and meets at the centre of Pench River at point 'M'.
- M—N Line passes along the common village boundary of villages Chhinda and Dighawani, through the centre of Pench River and meets at point 'N'.
- N—I Line passes, through village Dighawani in plot number 274, crosses Pench River and meets at starting point 'I'.

[No. 43015/12/94-LSW]

Mrs. P. L. SAINI, Under Secy.

नई दिल्ली, 23 सितम्बर, 1996

का.आ. 2801.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपावद्ध अनुसूची में उल्लिखित परिक्षेत्र की भूमि में कोयला अभिप्राप्त किये जाने की संभावना है,

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जेंट और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें कोयले का पर्वक्षण करने के अपने आशय की सूचना देती है,

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र रेखांक सं. रे. 34/96 तारीख 17 अप्रैल, 1996 का निरीक्षण तादेन कोलकील्ड्स लिमिटेड (राजस्व अनुभाग), सिंगरौली के कार्यालय में या कलकटर, सीधी (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, काउंसिल हाउस, स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्वयगत आते वाले भूमियों में हितवद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को, इस अधिसूचना के भारत के राजपत्र में प्रकाशन की तारीख से नव्वे दिन के भीतर, भारसाधक अधिकारी/विभागाध्यक्ष (राजस्व), नार्दन कोलफील्ड्स लिमिटेड सिंगरौली को परिसन्त करेंगे।

अनुसूची

निघाई खंड विस्तार

सिंगरौली

जिला सीधी (मध्य प्रदेश)

पूर्वक्षेत्र के लिये अधिसूचित भूमि

क्रम सं.	ग्राम	तहसील	जिला	एकड़ (लगभग)	टिप्पण
1.	निघाई	सिंगरौली	सीधी	362.00	भाग
2.	मेधौली	सिंगरौली	सीधी	548.00	भाग
3.	मुहुर	सिंगरौली	सीधी	563.00	भाग

सीमा वर्णन :

- क-ख रेखा "क" बिन्दु से आरम्भ होती है और मुहुर ग्राम से होकर जाती है और "ख" बिन्दु पर मिलती है।
- ख-ग रेखा "ख" बिन्दु से आरम्भ होती है और मुहुर तथा मेधौली ग्राम से होते हुए जाती है और "ग" बिन्दु पर मिलती है।
- ग-घ रेखा "ग" बिन्दु से आरम्भ होती है और ग्राम मेधौली से होते हुए जाती है तथा "घ" पर मिलती है।
- घ-ङ रेखा "घ" बिन्दु से आरम्भ होती है और मेधौली ग्राम से होते हुए जाती है तथा "ङ" बिन्दु पर मिलती है।
- ङ-च रेखा "ङ" बिन्दु से आरम्भ होती है और ग्राम मेधौली से होते हुए जाती है तथा "च" बिन्दु पर मिलती है।
- च-छ रेखा "च" बिन्दु से आरम्भ होती है और ग्राम मेधौली से होते हुए जाती है तथा "छ" बिन्दु पर मिलती है।
- छ-ज रेखा "छ" बिन्दु से आरम्भ होती है, और ग्राम मेधौली से होते हुए जाती है तथा "ज" बिन्दु पर मिलती है।
- ज-झ रेखा "ज" बिन्दु से आरम्भ होती है और ग्राम मेधौली से होते हुए जाती है तथा "झ" बिन्दु पर मिलती है।
- झ-ञ रेखा "झ" बिन्दु से आरम्भ होती है और मेधौली तथा निघाई ग्राम से होते हुए जाती है तथा "ञ" बिन्दु पर मिलती है।
- ञ-र रेखा "ञ" बिन्दु से आरम्भ होती है और ग्राम निघाई से होते हुए जाती है तथा "र" बिन्दु पर मिलती है।
- र-ठ रेखा "र" बिन्दु से आरम्भ होती है और ग्राम निघाई से होते हुए जाती है तथा "ठ" बिन्दु पर मिलती है।
- ठ-क रेखा "ठ" बिन्दु से आरम्भ होती है तथा निघाई तथा मुहुर ग्राम से होते हुए जाती है और आरम्भिक बिन्दु "क" पर मिलती है।

[फा.सं. 43015/7/96-एल.एस. डब्ल्यू.]

श्रीमती पी.एल. मैनी, अवर सचिव

New Delhi, 23rd September, 1996

S.O.2801 Whereas it appears to the Central Government that coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act 1957 (20 of 1957), hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for Coal therein.

The plan bearing number Rev/34/96, dated 17th April, 1996 of the area covered by this notification can be inspected at the office of the Northern Coalfields Limited (Revenue Section), Singrauli or at the office of the Collector, Sidhi (Madhya Pradesh) or at the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the office-in Charge/Head of the Department (Revenue), Northern Coalfields Limited, Singrauli within 90 days from the date of the publication of this notification in the Gazette of India.

SCHEDULE
NIGAHI BLOCK EXTEN.
NORTHERN COALFIELDS LIMITED
SINGRAULI
DISTRICT SIDHI (MADHYA PRADESH)

Land notified for prospecting:

Sl. No,	Village	Tahsil	District	Area (Appx)	Remarks
1.	Nigahi	Singrauli	Sidhi	362.00	Part
2.	Medhauli	Singrauli	Sidhi	548.00	Part
3.	Muher	Singrauli	Sidhi	563.00	Part
Total area :				1473.00 Acres (approximately)	
				or	
				569.11 hectares (approximately)	

Boundary discription:

A—B	Line starts from Point 'A' and passess through village Muher and meets at point 'B'.
B—C	Line starts from point 'B' and passes through village Muher and Medhauli and meets at point 'C'.
C—D	Line starts from point 'C' and passes through village Medhauli and meets at point 'D'.
D—E	Line starts from point 'D' and passes through village Medhauli and meets at point 'E'.
E—F	Line starts from point 'E' and passes through village Medhauli and meets at point 'F'.
F—G	Line starts from point 'F' and passes through villag Medhauli and meets at point 'G'.
G—H	Line starts from point 'G' and passes through village Medhauli and meets at point 'H'.
H—I	Line starts from point 'H' and passes through village Medhauli and meets at point 'I'.
I—J	Line starts from point 'I' and passes through village Medhauli and Nigahi meets at point 'J'.
J—K	Line starts from point 'J' and passes through village Nigahi and meets at point 'K'.
K—L	Line starts from point 'K' and passes through village Nigahi and meets at point 'L'.
L—A	Line starts from point 'L' and passes through village Nigahi and Muher and meets at starting point 'A'.

[No. 43015/7/96-LSW]
SMT. P.L. SAINI, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 18 सितम्बर, 1996

का.ग्रा. 2802—पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50वां) को धारा 2 के खण्ड (ए) के अनुसरण में केन्द्रीय सरकार एतद् द्वारा नीचे दी गई अनुसूची के कालम 1 में उल्लिखित प्राधिकारी को उक्त कालम 3 की तदनुकूपी प्रविष्टि में उल्लिखित क्षेत्र की सीमाओं के भीतर उक्त अधिनियम के अन्तर्गत सक्षम प्राधिकारी के कार्य करने के लिए एतद्द्वारा प्राधिकृत करती है।

2287 GI/96—4

अनुसूची

व्यक्ति का नाम	पता	क्षेत्रीय अधिकार
1	2	3
वी के शर्मा	गैस अथॉरिटी ऑफ इंडिया लि. ए-14 सेक्टर 1, नोएडा गाजियाबाद, (उत्तर प्रदेश)	उत्तर प्रदेश राज्य के बुलन्दशहर, गाजियाबाद, आगरा, मथुरा, फिरोजाबाद जिला।

[संख्या एल-14016/18/93-जी.पी.]
अर्जुन सेन, निदेशक

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 18th September, 1996

S.O. 2802.—in pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) the Central Government hereby authorizes the authorities mentioned in column 1 of the schedule below to perform the function of Competent Authority under the said Act within the area mentioned in the corresponding entry in the column 3 of the said schedule.

SCHEDULE

Name of the person	Address	Territorial Jurisdiction
1	2	3
V.K. Sharma	Gas Authority of India Ltd. PDIL Building, A-14, Sector I, Noida Distt. Ghaziabad (U.P.)	Bulandshahr, Ghaziabad, Agra, Mathura, Ferozabad of U.P. State

[No. L-14016/18/93-G.P.]

ARDHENDU SEN, Director

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 12 सितम्बर, 1996

का. आ. 2803.—केन्द्रीय सरकार ने आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खंड (क) के अनुसरण और अरुणाचल प्रदेश सरकार के परामर्श से डा. सी. दास, परियोजना निदेशक और संकायाध्यक्ष पड़मावन प्रदेश, मेडिकल कॉलेज पासीघाट पूर्वी सिंग जिला अरुणाचल प्रदेश को इस अधिसूचना के जारी किए जाने की तारीख से भारतीय आयुर्विज्ञान परिषद् का सदस्य नाम निर्दिष्ट किया है।

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 की उपधारा (1) के अनुसरण में, भारत सरकार के स्वास्थ्य मंत्रालय का अधिसूचना सं. का. आ. 138, तारीख 9 जनवरी, 1960 में निम्नलिखित और संशोधन करती है, अर्थात् —

उक्त अधिसूचना में धारा 3 की उपधारा (1) के खंड (क) के प्रयोग नाम निर्दिष्ट शीर्षक के नीचे क्रम. सं. 24 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम. सं. और प्रविष्टियां रखी जाएंगी, अर्थात् —

"24, डा. सी. दास,
परियोजना निदेशक और संकायाध्यक्ष,
अरुणाचल प्रदेश,
मेडिकल कॉलेज, पूर्वी सिंग जिला,
अरुणाचल प्रदेश

[सं.बी. 11013/13/96-एम.ई. (यू.पी.)]

एस. के. मिश्र, डेस्क अधिकारी

पाद टिप्पण :—यू.अधिसूचना भारत के राजपत्र में अधिसूचना सं. का. आ. 138, दिनांक 9 जनवरी, 1960 द्वारा प्रकाशित हुई थी।

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 12th September, 1996

S.O. 2803 —Whereas the Central Government in pursuance of clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) and in consultation with the Government of Arunachal Pradesh have nominated Dr. C. Das Project Director-cum-Dean, Arunachal Pradesh Medical College, Pasighat, East Siang District, Arunachal Pradesh to be a member of the Medical Council of India with effect from the date of issue of this notification;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Health number S.O. 138, dated the 9th January, 1960, namely :—

In the said notification, under the heading, "Nominated under clause (a) of sub-section (1) of section 3" for serial number 24 and the entries relating thereto, the following serial number and entries shall be substituted, namely :—

"24, Dr. C. Das,
Project Director-cum-Dean,
Arunachal Pradesh,
Medical College, East Siang District,
Arunachal Pradesh."

[No. V-11013/13/96-ME(UG)]

S. K. MISHRA, Desk Officer

Footnote —The principal notification was published in the Gazette of India vide notification number S.O. 138, dated the 9th January, 1960.

आदेश

नई दिल्ली, 12 सितम्बर, 1996

का.आ. 2804.—यतः बन्दरबिल्टः यूनिवर्सिटी स्कूल आफ मेडिसिन, यू० एस० ए० द्वारा प्रदत्त एम० डी० चिकित्सा अर्हता भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) के प्रयोजन हेतु एक मान्यता प्राप्त चिकित्सा अर्हता है।

आर. बा. डा. रेबेक ए. नेयल, जिनके पास उक्त अहता है, हातास पूर्ण कार्य के लिए बैंगलूर वेडिस्ट अस्पताल, बैंगलूर में कार्यरत है ;

अतः, आर, केन्द्र सरकार उक्त अधिनियम की धारा 14 की उपधारा (1) के अन्वय के खंड (ग) के अनुसार में एम्- द्वारा :-

- (i) 23 अक्टूबर, 1997 को समाप्त अवधि, अथवा
(ii) वह अवधि जिसके दौरान डा. रेबेक ए. नेयल, बैंगलूर वेडिस्ट अस्पताल, बैंगलूर में कार्यरत हैं इनमें जो भी कम हो, उस अवधि के खा में विनिर्दिष्ट करती है, जिस तक उक्त विधिस्था द्वारा वेडिस्ट प्रैक्टिस सीमित होगी।

[सं. बा. 11016/10/93-एम ई (यूजी)]
एस. के. मिश्र, डेप्ट अधिकारी

ORDER

New Delhi, the 12th September, 1996

S.O. 2804.—Whereas medical qualification M. D. granted by Vanderbilt University School of Medicine, U.S.A. is a recognised medical qualification for the purpose of the Indian Medical Council Act 1956 (102 of 1956);

And, whereas, Dr. Rebekah A. Neylor who possesses the said qualification is at present attached to Bangalore Baptist Hospital, Bangalore for Charitable work;

Now, therefore, in pursuance of clause (c) of the said provision to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies :-

- (1) the period ending 23rd October, 1997 or
(2) the period during which Dr. Rebekah A. Neylor is attached to Bangalore Baptist Hospital, whichever is shorter, as the period to which the medical practice by the said doctor shall be limited.

[No. V-11016/10/93-ME(UG)]
S. K. MISHRA, Desk Officer

(भारतीय चिकित्सा पद्धति और होम्योपैथी विभाग)

नई दिल्ली, 13 सितम्बर, 1996

का.आ. 2805.—केन्द्रीय सरकार, होम्योपैथी केन्द्रीय परिषद् अधिनियम, 1973 (1973 का 59) की धारा 13 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय होम्योपैथी परिषद् से सम्पर्क करने के पश्चात्, उक्त अधिनियम की द्वितीय अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त अधिनियम की द्वितीय अनुसूची में "पश्चिमी बंगाल" शीर्षक के नीचे कम्पत्ता निम्नलिखित में संशोधन का सं. 293 के तामस संस 4 की अधिविधि के स्थान पर निम्नलिखित अधिविधि रखी जायेगी, अर्थात् :-

"1934 में लागू।"

[सं. की. 27021/11/88-होम्यो.]
कैबल दास, प्रवर सचिव

टिप्पणी :-—मूल अधिवृत्ता भारत के राजपत्र में का.आ सं. 76, तारीख 20 दिसम्बर, 1973 द्वारा प्रकाशित की गई थी और तत्पश्चात् निम्नलिखित अधिवृत्तों द्वारा उसमें संशोधन किया गया —

का.आ.	3325,	दिनांक	4-11-1978
का.आ.	1517,	दिनांक	26-02-1983
का.आ.	1418,	दिनांक	12-03-1983
का.आ.	3099,	दिनांक	21-06-1985
का.आ.	2048,	दिनांक	24-03-1986
का.आ.	2270,	दिनांक	24-05-1986
का.आ.	2449,	दिनांक	01-08-1990
का.आ.	2501,	दिनांक	01-08-1990
का.आ.	2002,	दिनांक	21-08-1990
का.आ.	1182,	दिनांक	21-08-1990
का.आ.	710,	दिनांक	20-02-1992
का.आ.	891	दिनांक	05-03-1992
का.आ.	1210	दिनांक	23-04-1992
का.आ.	2669	दिनांक	24-09-1992
का.आ.	978	दिनांक	28-04-1993
का.आ.	1894	दिनांक	17-08-1993
का.आ.	1225	दिनांक	17-05-1994
का.आ.	2363	दिनांक	24-10-1994

(Department of ISM & Homoeopathy)

New Delhi, the 13th September, 1996

S.O. 2805.—In exercise of the powers conferred by sub-section (2) of section 13 of the Homoeopathy Central Council Act, 1973 (59 of 1973), the Central Government, after consulting the Central Council of Homoeopathy, hereby makes the following further amendment in the Second Schedule to the said Act, namely :-

In the Second Schedule to the said Act, under the head "West Bengal", against serial number 29B relating to the University of Calcutta, in column 4, for the entry the following entry shall be substituted, namely :-

"From 1984 onwards".

[No. V-27021/11/88-Homoeo]

KANWAL DASS, Under Secy.

Note.—The principal notification was published in the Gazette of India vide S.O. 76, dated the 20th December, 1973 and subsequently amended by notification number :-

S.O.	3325,	dated	04-11-1978
S.O.	1517,	dated	26-02-1983
S.O.	1418,	dated	12-03-1983
S.O.	3099,	dated	21-06-1985
S.O.	2048,	dated	24-03-1986
S.O.	2270,	dated	24-05-1986
S.O.	2449,	dated	01-08-1990
S.O.	2501,	dated	01-08-1990
S.O.	2002,	dated	21-08-1990
S.O.	1182,	dated	21-08-1990
S.O.	710,	dated	20-02-1992
S.O.	891,	dated	05-03-1992
S.O.	1210,	dated	23-04-1992
S.O.	2669,	dated	24-09-1992
S.O.	978,	dated	28-04-1993
S.O.	1894,	dated	17-08-1993
S.O.	1225,	dated	17-05-1994
S.O.	2363,	dated	24-10-1994

नई दिल्ली, 13 सितम्बर, 1996

का०आ० 2806:—केन्द्रीय सरकार होम्योपैथिक केन्द्रीय परिषद् अधिनियम, 1973 (1972 का 59) की धारा 13 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय होम्योपैथिक परिषद् से परामर्श करने के पश्चात् उक्त जांच नियम की द्वितीय अनुसूची में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त द्वितीय अनुसूची में,—

(क) “आंध्र प्रदेश” शीर्षक के अन्तर्गत क्रम सं० 3 घ और उससे संबंधित प्रविष्टियों के पश्चात्, निम्नलिखित अंतः स्थापित किया जाएगा, अर्थात्:—

1	2	3	4
क	उड नागार्जुन विश्वविद्यालय, गंटूर	(1) बैचलर इन होम्योपैथिक मेडिसिन एवं सर्जरी	1985 से 1989 तक
		(2) बैचलर इन होम्योपैथिक मेडिसिन एवं सर्जरी	बी एच एम एस 1989 से आगे
	उच्च यूनिवर्सिटी आफ हेल्थ साइंसेज, विजयवाड़ा	बैचलर इन होम्योपैथिक मेडिसिन एवं सर्जरी	बी एच एम एस 1993 से आगे

(ख) “दिल्ली” शीर्षक के अन्तर्गत क्रम सं० 5 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित अंतः स्थापित किया जाएगा, अर्थात्:—

1	2	3	4
5(क)	दिल्ली विश्वविद्यालय	बैचलर इन होम्योपैथिक मेडिसिन एवं सर्जरी	1994 से आगे
	(ग) “कर्नाटक” शीर्षक के अन्तर्गत क्रम सं० 7ड. और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित अंतः स्थापित किया जाएगा, अर्थात्:—		

1	2	3	4
7(ग)	कर्नाटक विश्वविद्यालय, धारवाड़	बैचलर इन होम्योपैथिक मेडिसिन एवं सर्जरी	बी एच एम एस 1996 से आगे

(घ) “केरल” शीर्षक के अन्तर्गत केरल विश्वविद्यालय से संबंधित क्रम सं० 9ख के सामने अंत में 4 की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् 1989 से 1993 तक

(ङ) “महाराष्ट्र” शीर्षक के अन्तर्गत मुम्बई विश्वविद्यालय से संबंधित क्रम सं० 11घ के सामने स्तंभ सं० 4 की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:—1988 से आगे

(ii) क्रम सं० 12ख और उससे संबंधित प्रविष्टियों के पश्चात्, निम्नलिखित अंतः स्थापित किया जाएगा, अर्थात्:—

1	2	3	4
1ग	नागपुर विश्वविद्यालय	बैचलर इन होम्योपैथिक मेडिसिन एवं सर्जरी	1991 से आगे
	(च) “उड़ीसा” शीर्षक के अन्तर्गत क्रम सं० 13 ख और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित अंतः स्थापित किया जाएगा, अर्थात्:—		
13ख	सम्बलपुर विश्वविद्यालय	बैचलर इन होम्योपैथिक मेडिसिन एवं सर्जरी	बी एच एम एस 1986 से आगे

[सं० बी० 27021/18/87-होम्यो०]

कैबल दास, अवर सचिव

टिप्पण:—मूल अधिसूचना भारत के राजपत्र में का०आ० सं० 76, तारीख 20 दिसम्बर, 1973 द्वारा अधिसूचित की गई थी और तत्पश्चात् उसमें निम्नलिखित द्वारा संशोधित किया गया:—

अंतिम संशोधन भारत के राजपत्र में का०आ० सं० 2363 दिनांक 24 अक्टूबर, 1994 में अधिसूचित किया गया।

New Delhi, 13th September, 1996

S.O.—2806 In exercise of the powers conferred by sub-section (2) of Section 13 of the Homoeopathy Central Council Act, 1973 (59 of 1973), the Central Government, after consulting the Central Council of Homoeopathy, hereby makes the following amendments in the Second Schedule to the said Act, namely:—

In the said Second Schedule,—

(a) under the heading “ANDHRA PRADESH”, after serial number 3D and the entries relating thereto, the following shall be inserted, namely:—

1	2	3	4
“3E. Nagarjuna University, Guntur	(1) Bachelor in Homoeopathic Medicine and Surgery	MBS	From 1985 to 1989
	(2) Bachelor in Homoeopathic Medicine and Surgery	BHMS	From October, 1989 onwards”
3F. University of Health Sciences Vijayawada	Bachelor in Homoeopathic Medicine and Surgery	BHMS	From 1993 onwards”.

(b) under the heading “NEW DELHI” after serial number ‘5’ and the entries relating thereto, the following shall be inserted, namely:—

1	2	3	4
“5(a) Delhi University	Bachelor in Homoeopathic Medicine and Surgery	BHMS	From 1994 onwards”.

(c) under the heading “Karnataka”, after serial number ‘7E and the entries relating thereto, the following shall be inserted, namely:—

1	2	3	4
“7F. Karnataka University, Dharwad	Bachelor in Homoeopathic Medicine and Surgery	NHMS	From 1995 onwards”.

(d) under the heading “KERALA” against serial number 9B relating to the University of Kerala, in column 4, for the entry, the following entry shall be substituted, namely:—

“From 1989 to 1993”

(e) under the heading “MAHARASHTRA” ii (i) against serial number IID relating to the University of Bombay, in column number 4, for the entry, the following entry shall be substituted, namely:—

“From 1988 onwards”.

(ii) after serial number 12B and the entries relating thereto, the following shall be inserted, namely:—

1	2	3	4
“12C. Nagpur University	Bachelor in Homoeopathic Medicine and Surgery	BHMS	From 1991 onwards”.

(f) under the heading “ORISSA”, after serial number 13B and the entries relating thereto, the following shall be inserted, namely:—

1	2	3	4
“13BB. Sambalpur University	Bachelor in Homoeopathic Medicine and Surgery	BHMS	From 1986 onwards”.

[No. V. 27021/18/87-Homoeo]
KANWAL DAS, Under Secy.

Note :—The principal Notification was notified in the Gazette of India Part 2, Section 1, vide S.O. No. 76 dated the 20th December, 1973 and subsequently amended by:

The Schedule was late amended vide S.O. 2363 dated 24-10-1994 published in the Gazette of India Part II, Section 3, Sub-Section (ii).

कृषि मंत्रालय

(कृषि अनुसंधान तथा शिक्षा विभाग)

नई दिल्ली, 11 सितम्बर, 1996

का.आ. 2807.—केन्द्रीय सरकार, कृषि मंत्रालय, कृषि अनुसंधान तथा शिक्षा विभाग, राजभाषा (संघ) के सांस्कृतिक प्रयोजनों के लिए प्रयोग (नियम, 1976 के नियम 10) के उपनियम (4) के अनुसरण में एतद्वारा भारतीय कृषि अनुसंधान परिषद के निम्नलिखित संस्थानों, जिनके 80% से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है अधिसूचित करती है :—

1. केन्द्रीय आलू अनुसंधान संस्थान, पिल्लला ।
2. राष्ट्रीय निम्बू जातीय फल अनुसंधान, केन्द्र, नागपुर
3. राष्ट्रीय उष्ट्र अनुसंधान केन्द्र बीकानेर ।

[संख्या 13-5/95-हिन्दी]

आर. पी. सरोज, अधर सचिव

MINISTRY OF AGRICULTURE

(Department of Agril. Res. & Education)

New Delhi, the 11th September, 1996

S.O. 2807.—In pursuance of Sub-Rule 4 of Rule 10 of the Official Language (Use of Official purpose of the Union) Rule 1976, the Central Government, Ministry of Agriculture (Deptt. of Agricultural Research & Education) hereby notifies the following Institutes of ICAR, where more than 80 per cent of staff have acquired the working knowledge of Hindi :—

- (1) Central Potato Research Institute, Shsmla
- (2) National Research Centre for Citrus, Nagpur.
- (3) National Research Centre on Camel, Bikaner.

[No. 13-5/95-Hindi]

R. P. SAROJ, Under Secy.

अग मंत्रालय

नई दिल्ली, 21 अगस्त, 1996

का.आ. 2808.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मध्य रेलवे के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 19-8-1996 को प्राप्त हुआ था।

[सं. एल.-41011/3/92-आई आर बी आर]

पी. जे. माईकल, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 21st August, 1996

S.O. 2808.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the

management of Central Rly., and their workmen, which was received by the Central Government on 19-8-96.

[No. L-41011/3/92-URB]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 68 of 1993

In the matter of dispute between :

President,

Rashtriya Chaturth Shreni Rail Mazdoor Congress,
2/236, Nambar Agra.

AND

Senior Divisional Engineer (C),
Central Railway, Jhansi.

APPEARANCES :

Sri Surendra Singh—for the Union.

Sri B. N. Bhattacharya—for the management.

AWARD

1. Central Government, Ministry of Labour, New Delhi vide its Notification No. L-41011/3/92/IR(DU) dated 26th August, 1993, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the Senior Divisional Engineer (C), Central Railway, Jhansi in transferring Sri Kishani and 655 others MRCL as per Annexure A from Mathura, to Gwalior without extending benefit of transfer is justified? If not, what relief the workmen concerned are entitled to?

2. There are in all 656 workmen in this reference. But the Ministry of Labour had given the list of 571 workers alongwith reference. A letter was sent to the Ministry on 15-9-93 for furnishing the name of remaining workmen but the same has not been received. Hence, we are dealing with only 571 workers whose names are attached herewith.

3. The case of these workmen is that they have been working as M.R.C.L. for the last so many years as adjudicated in the attached list. In this way they have acquired temporary status and are being issued railway passes etc. They were working in Mathura. They have been transferred to Gwalior. Yet they are not being given transfer benefits like TTA and other allied facilities to which they are entitled.

4. On the other hand the concerned workmen have filed the affidavit of Rajvir Singh Solanki. During the course of arguments it was urged on behalf of railway that these workmen are daily rated workers. As the work at Mathura had come to an end these workmen were deputed at Jhansi. In this way question of payment of T.T.A. and other allied benefits does not arise. This contention is based on no evidence. The railway ought to have adduced evidence to prove that they were still daily rated workers and that the work at Mathura had been exhausted and therefore, these workmen were asked to do job at Jhansi. Hence, the contention of railway is to be repelled for want of proof. On the other hand the concerned workmen have filed the affidavit which is un-rebutted. Further there is no denial of pleading of the concerned workmen hence the claim is to be accepted. According it is held that the concerned workmen had acquired temporary status and as such they are entitled for TTA and other allied benefit, arising out of transfer. They were asked to go from Mathura to Jhansi.

5. The reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

सहायक अभियन्ता मध्य रेल मथुरा जं० के 656 मैगमैन (एच० आर० सी० एल०) रेल कर्मियों की सूची

क्रम सं०	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तिथि
1.	किशनो	श्री देवी राम	चौमुहा, चौमुहा, मथुरा, उ० प्र०	21-1-86
2.	रत्न सिंह	„ देवी राम	चौमुहा, चौमुहा, मथुरा, उ० प्र०	21-1-86
3.	शान सिंह	„ सेवाराय	बनवारी पुर, गाणु, शलीगढ़	3-2-86
4.	भगवन्त सिंह	„ भीकचन्द	कोयलपुर, राया, मथुरा, उ० प्र०	21-1-86
5.	लीले	„ देवी राम	चौमुहा, चौमुहा, मथुरा, उ० प्र०	21-1-86
6.	गोपी	„ चोबे	चौमुहा, चौमुहा, मथुरा उ० प्र०	3-9-86
7.	शमोहरी	„ बालकिशन	चौमुहा, चौमुहा, मथुरा, उ० प्र०	21-1-86
8.	राहुब सिंह	„ चोखे	चौमुहा, चौमुहा, मथुरा, उ० प्र०	21-1-86
9.	सहेन्द्र सिंह	„ पतिराम	ककुआ, ककुआ, आगरा, उ० प्र०	13-9-88
10.	जदवी सिंह	„ दाउदयाल	नगलापाटम, नगला पाटम, आगरा	29-6-86
11.	राधेप्रिय	„ रोशन लाल	शहजादपुर, रंगराजगढ़, आगरा	20-8-86
12.	जगदीश	„ सहेन्द्र सिंह	शहजादपुर, रंगराजगढ़, मथुरा	20-8-86
13.	दादराम	„ जोरावर	परखम, परखम, मथुरा	3-10-86
14.	धन्वसिंह	„ रामधूरा	नन्वका, कौशीरा मथुरा	3-10-86
15.	तुलसीदास	„ मोहनसिंह	रक्का, रक्का, झांसी	20-8-86
16.	मनमोहन	„ मोहनलाल	करनाल, होडल, फरीदाबाद	29-6-86
17.	चरनसिंह	„ रामलाल	ली कही, ली कही, फरीदाबाद	21-1-86
18.	नवलसिंह	„ शांती	अकबरपुर, अकबरपुर, मथुरा	3-2-86
19.	गौदास सिंह	„ शन्तराम	अकबर, अकबरपुर, मथुरा	25-9-86
20.	बालू	„ हन्डू	अकबरपुर, अकबरपुर, मथुरा	21-1-86
21.	पिजय सिंह	„ धरमसिंह	तारसी, धनगांव, मथुरा	20-8-86
22.	सिलेन्द्र सिंह	„ मोहनसिंह	मनेमपुर, अडुकी, मथुरा	20-8-86
23.	सीतल सिंह	„ राजपाल सिंह	शंकर गली, धौली प्याऊ, मथुरा	20-8-86
24.	किरीट सिंह	„ कालीचरन	अडुकी, गी, मथुरा	20-8-96
25.	भानुप कुमार	„ सुधीर कुमार	आर० बी० II 80 डी रे० का० मथुरा	3-9-86
26.	अंबर सिंह	„ हरकिशन	अडुकी, अडुकी, मथुरा	20-8-86
27.	विरजा	„ रामरूप	जैल, जैल, मथुरा	22-12-86
28.	गुलाब चन्द	„ लच्छी	अडुकी, अडुकी, मथुरा	22-10-86
29.	मोहनलाल	„ बलबल	परखम, परखम, मथुरा	19-6-86
30.	रमनी	„ लक्ष्मी	रनवारी, छाता, मथुरा	21-1-86
31.	लालचन्द	„ मेधप्रिय	कमई, कमई, मथुरा	21-1-86
32.	चरन सिंह	„ रामधू	तरीली, तरीली, मथुरा	18-1-86
33.	मानन्या	„ छप्पन	सिहाना, अकबरपुर, मथुरा	21-1-86
34.	अमर सिंह	„ खेमराज	गुदरता, औरंगाबाद, फरीदाबाद	18-1-86
35.	भगवन्त	„ नन्वलाल	तारसी, कोशीपुर, मथुरा	21-1-86
36.	हरपाल	„ फली	गड़ी, पेठा, मथुरा	21-1-86
37.	देवी राम	„ छप्पन	सिहाना, अकबरपुर, मथुरा	21-1-85
38.	रोशन लाल	„ फूल सिंह	इथोरा, बल्देव, मथुरा	18-4-86
39.	गह्वर	„ अल्लादीन	फहे हपुर बजूरिया, महीबा, हरीरपुर	25-8-86
40.	सुन्दर	„ दुर्गाप्रसाद	फतेहपुर बजूरिया, महीबा, हरीरपुर	22-8-86
41.	गोपाल	„ गजधर	विडावली, छाता, मथुरा	26-8-86
42.	गोहनलाल	„ बालू	विडावली, छाता मथुरा	26-9-86
43.	सचैरा	„ भूपतराम	कृष्णातार, काँगीनी, पलवल, फरीदाबाद	28-9-86

क्र०सं०	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तिथि
44.	रूप सिंह	श्री प्रभाती	वाड़ीबदरपुर, बाड़ी, धौलापुर	21-1-86
45.	नन्धलाल	„ लखन	खेराडॉंग, बरौवाडॉंग, लीलतपुर	3-10-88
46.	किशोरीलाल	„ हल्के	खेराडॉंग, बरौवाडॉंग, लीलतपुर	3-10-88
47.	सोरनसिंह	„ पुन्नी	चौमुहॉ, चौमुहॉ, मथुरा	21-1-86
48.	भगवान सिंह	„ पुन्नी	चौमुहॉ, चौमुहॉ, मथुरा	15-10-87
49.	रतनसिंह	„ हुकम सिंह	मुकन्दपुर, उत्पार, मथुरा	21-1-87
50.	मोहनसिंह	„ जुगला	मुकन्दपुर, उत्पार, मथुरा	1-4-86
51.	करुआ	„ झांसी	बड़ौवा, परखम, मथुरा	3-9-86
52.	महीपाल	„ लालचन्द	नौगाँव, नौगाँव, मथुरा	19-9-86
53.	हरीसिंह	„ निनुआ	अड़की, अड़की, मथुरा	22-1-86
54.	बच्चू सिंह	„ नरिन्दर	आझई, आझई, मथुरा	15-10-87
55.	नारायणसिंह	„ रामधयाल	मोहनपुर, अड़की, मथुरा	25-11-86
56.	जगो	„ कमल	अड़की, अड़की, मथुरा	3-4-87
57.	टुण्डा	„ बुद्धी	आझई, आझई, मथुरा	28-1-88
58.	भैयालाल	„ बचई	गोविन्दपुर, गोविन्दपुर, दतिया	3-10-88
59.	श्यामलाल	„ सोनपाल	सिहाना, अकबरपुर, मथुरा	20-1-86
60.	बाबू	„ भूपाली	सिहाना, अकबरपुर, मथुरा	20-1-86
61.	महेन्द्र	„ मानसिंह	सिहाना, अकबरपुर, मथुरा	20-1-86
62.	नारायण सिंह	„ दीपचन्द	सिहाना, अकबरपुर, मथुरा	20-1-86
63.	मेवाराम	„ खेम सिंह	सिहाना, अकबरपुर, मथुरा	20-1-86
64.	परशादी	„ वेदराम	सिहाना, अकबरपुर, मथुरा	20-1-86
65.	रामदास	„ मुन्शी	नगला फत्ता, उन्नागांव, मथुरा	20-1-86
66.	मानसिंह	„ सोनपाल	सिहाना, अकबरपुर, मथुरा	20-1-86
67.	देवीराम	„ सोनपाल	सिहाना, अकबरपुर, मथुरा	1-4-86
68.	इंधू	„ शेर खां	अकोरा, बनचारी, फरीदाबाद	3-6-86
69.	सुम्मेरा	„ कलुआ	अकोरा, बनचारी, फरीदाबाद	3-5-86
70.	श्रीराम	„ किशोरा	अजीजपुर, कोसी कलां, मथुरा	28-8-86
71.	महेन्द्रपाल	„ सुक्खा	बिलौठी, दाता, मथुरा	26-8-86
72.	सुन्दरसिंह	„ हुकमा	गोढ़ी, दौताना, मथुरा	26-8-86
73.	देवी सिंह	„ नानिगा	सिहाना, अकबरपुर, मथुरा	26-9-86
74.	हरिपाल	„ छुंगर	सिहाना, अकबरपुर, मथुरा	29-9-86
75.	देवी	„ टुण्डा	सिहाना, अकबरपुर, मथुरा	26-9-86
76.	सोरन	„ मंगल	सिहाना, अकबरपुर, मथुरा	20-1-86
77.	शंकर	„ रामो	सिहाना अकबर पुर मथुरा	20-1-86
78.	रामसिंह	„ श्रीचन्द	उन्दी, छाता, मथुरा	1-9-86
79.	राजेन्द्र प्रसाद	„ गिराजप्रसाद	कोसीखुर्द, कोसीखुर्द, मथुरा	1-9-86
80.	नारायण सिंह	„ किशोरी राम	मुकन्दपुर, उत्पार, मथुरा	4-9-86
81.	सरुआ	„ बीरी सिंह	निहापुर, निहालपुर, मथुरा	20-9-86
82.	विजेन्द्र सिंह	„ पन्तू	बरकानगला, करह, मथुरा	19-9-86
83.	वलवन्त सिंह	„ धैरों	मथुरापुरा, मिगराह, टीकमगढ़	1-9-86
84.	बच्चू सिंह	„ रघुनाथ सिंह	पींगरी, पींगरी, मथुरा	1-9-86
85.	जमाल खां	„ शिखों	अड़की, अड़की, मथुरा	1-9-86
86.	लालताप्रसाद	„ भीजीराम	नगलाहरीराम, खौडा, आगरा	20-1-86
87.	अमरसिंह	„ भोपल	पौरी, रैमुरा राजाट, मथुरा	28-1-88
88.	देवेन्द्र सिंह	„ निरोत्तम सिंह	जायमई, जायमई, फिरोजाबाद	28-2-88

क्रम सं०	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तिथि
89.	फुल्ली राम	श्री सरमन	जिखनगांव, जिखनगांव, टीकमगढ़	28-1-88
90.	मुन्ना	„ खड्गे	शिवगढ़, रक्शा, झांसी	28-1-88
91.	रज्जू	„ रतीराम	नन्दनपुरा, लहरीगढ़, झांसी	28-1-88
92.	सुबेदार	„ किशनसिंह	पौरी, रैपुराजाट, मथुरा	28-1-88
93.	मंगल	„ हीरालाल	जैत, जैत, मथुरा	28-1-88
94.	रमनलाल	„ पदमा	सिंहाना, अकबरपुर, मथुरा	28-1-88
95.	चिम्मन	„ निनुआ	फरह, फरह, मथुरा	28-1-88
96.	असिया	„ करीमा	सलेमपुर, अडूकी, मथुरा	28-1-88
97.	वीरी सिंह	„ बदले	सलेमपुर, अडूकी, मथुरा	28-1-88
98.	चरनसिंह	„ बेनीराम	जैत, जैत, मथुरा	28-1-88
99.	मोहन	„ हरिया	फरह, फरह, मथुरा	28-1-88
100.	राधे	„ रामसिंह	फरह, फरह, मथुरा	28-1-88
101.	ईश्वरी	„ हरीसिंह	फरह, फरह, मथुरा	22-1-88
102.	देवीसिंह	„ बीधा	फरह, फरह, मथुरा	28-1-88
103.	महेन्द्र सिंह	„ हुस्मसिंह	बछगांव, भगोरी, मथुरा	28-1-88
104.	धल्ला	„ भोगीराम	गहजादपुर, रैपुराजाट, मथुरा	28-1-88
105.	नवाबसिंह	„ छत्रपाल	सोगनाबुर्ज, रैपुराजाट, मथुरा	28-1-88
106.	हजारी	„ रमजी	मोरा, बरारी, मथुरा	28-1-88
107.	मुन्ना	„ भगवानदाम	ओरछागेट, गैस गोदाम के पास झांसी	28-1-88
108.	गज्ज	„ श्यामलाल	हसारी, हमारी, झांसी	28-1-88
109.	निरंजन	„ बुद्धी	गोपाल, नगर, गोपालनगर, मथुरा	28-1-88
110.	मोतीलाल	„ सुनहरी लाल	आसनपुर, आसनपुर, फिरोजाबाद	28-1-88
111.	सन्तोष	„ मुन्ना लाल	उना दरबाजा, उना दरबाजा, झांसी	28-2-88
112.	धनीराम	„ ईश्वरी प्रसाद	पौरी, रैपुराजाट, मथुरा	28-1-88
113.	डारिका	„ प्रभू	बिचौला, मनियाँ, धौलपुर	28-1-88
114.	महेन्द्र सिंह	„ परशादी	भाकर, खेरागढ़, आगरा	28-1-88
115.	पंचम	„ श्यामा	बिचौला, मनियाँ, धौलपुर	28-1-88
116.	शिवचरन	„ बाबूलाल	सीगन, रैपुराजाट, आगरा	28-1-88
117.	विजयसिंह	„ चन्दनसिंह	बिचौला, मनियाँ, धौलपुर	28-1-88
118.	निरंजन	„ महेन्द्र सिंह	अर्जुन, नरहौलीवाट, मथुरा	28-1-88
119.	डोरीलाल	„ थान सिंह	गढ़, भदनवारा, मथुरा	28-1-88
120.	हरीसिंह	„ रतनसिंह	नगला, हरदयाल, जावरा, मथुरा	28-1-88
121.	प्रेमसिंह	„ लट्ठी	सीगनबुर्ज, रैपुराजाट, मथुरा	28-1-88
122.	हरप्रसाद	„ रुमसिंह	भूरगढ़ी, बरौठ, मथुरा	20-10-86
123.	भरतसिंह	„ बुधईलाल		19-9-88
124.	हरीओम	„ खचेरा	देवनगर, कालोनी, 106 कृष्णानगर, मथुरा	3-3-87
125.	बच्चूसिंह	„ सोरनसिंह	कोसीबुंद, झांसीबुंद, मथुरा	19-9-88
126.	मोहनलाल	„ शिवराम	भैसारा, आगराखेड़ा, मथुरा	20-10-86
127.	राजनलाल	„ चन्दना	बिचौला, मनियाँ, धौलपुर	3-12-86
128.	मेवसिंह	„ श्यामा	बिचौला, मनियाँ, धौलपुर	22-1-87
129.	वासदेव	„ हनु	अडूकी, अडूकी, मथुरा	20-10-86
130.	रामकिशन	„ दुर्गासिंह	अरौना, रतकता, आगरा	20-10-86
131.	सुखलाल	„ रक्वा	भडन्वा, वारा, दुलारा, हमीरपुर	28-1-88
132.	बाबाम	„ कामताप्रसाद	मुरेरा, सोनगिरि	28-1-88

क्र.सं०	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तिथि
133.	रमेशचन्द्र	श्री रत्ना	बिछोर, पिछोरद्वारालियर	28-1-88
134.	वृजमोहन	„ प्रियामलाल	भट्टा, गांव झांसी, झांसी	21-12-86
135.	कन्हैयालाल	„ अयोध्या	पलरा, पलरा, झांसी	28-1-88
136.	रामसेवक	„ दीने		28-1-88
137.	किशोरी लाल	„ रामकरन	हडिया, हडिया, मोहंगावाड	22-1-87
138.	अजनाथ	„ हरदास	झांसी, झांसी झांसी	31-12-89
139.	भगवन सिंह	„ कुन्धनसिंह	भुरहरा, खेरागढ़, आगरा	28-1-86
140.	किशनसिंह	„ मुन्शी लाल	शहजादपुर, रैपरा जाट, मथुरा	27-1-86
141.	दीरपाल	„ महावीरसिंह	रैजुआ, रैजुआ एटा	27-1-86
142.	बलवीर	„ सुखाराम	नटवर, नगर, धौलीप्याऊ, मथुरा	25-8-96
143.	मदन	„ नत्थी	भैंसा, भैंसा, मथुरा	26-8-86
144.	मन्टो	„ गिर्राज	भैंसा, भैंसा, मथुरा	26-8-96
145.	राजवीर	„ रघुनाथ	मुकन्दपुर, उस्तर, मथुरा	4-6-87
146.	चन्दन	„ गिर्राज	महुअन, फरह, मथुरा	4-6-87
147.	सिरमोहर	„ मनीराम	बोहरे की नगला, कृष्णानगर, मथुरा	29-8-96
148.	तारा	„ बीरीसिंह	शहजादपुर पीरी, रैपुराजाट, मथुरा	24-9-86
149.	विजय	„ भूपाल	कृष्णानगर, कृष्णानगर, मथुरा	7-5-87
150.	सन्तु	„ रघुवीर	बाखलपुर परखम, मथुरा	7-5-87
151.	बलवीर	„ सीतपाल	सुपावस, पालई, भरतपुर	22-12-87
152.	कुशल	„ करतार	कासरोट, कासरोट, भरतपुर	3-1-87
153.	जनक सिंह	„ राधेश्याम	कोसीकलाँ, कोसीकलाँ, मथुरा	3-1-87
154.	रमसिंह	„ राजाराम	लड़ऊआ, लड़ऊआ, धौलापुर	3-1-87
155.	तेजसिंह	„ कमलसिंह	वाटों, छटोकरा, मथुरा	3-1-87
156.	छन्नपाल	„ पन्नालाल	झील, बबेलू, तनौरानूरपुर, आगरा	3-1-87
157.	धूरेंसिंह	„ मोतीराम	देवीपुरा, कृष्णानगर, मथुरा	-1-87
158.	चरनसिंह	„ राजाराम	अमरपुरा, लादूखेड़ा, आगरा	3-1-87
159.	राजेन्द्र प्रसाद	„ शंकरलाल	अगला लेखराज, धनौली, आगरा	3-2-87
160.	कुन्दन	„ भागवन्द	कोरईबेरा, किरावली, आगरा	3-2-87
161.	अतरसिंह	„ हमीर	पाली, पाली, झांसी	3-2-87
162.	रोहतान	„ विपतीराम	महुआ, फरह, मथुरा	3-1-87
163.	भीकचन्द	„ रोशनसिंह	महौली, कृष्णानगर, मथुरा	20-1-86
164.	शकूर	„ साजारी	सजेमपुर, कृष्णानगर, मथुरा	19-9-86
165.	भगवान सिंह	„ मंगली	अडूकी, अडूकी, मथुरा	20-1-86
166.	कल्लन	„ गुट्टी	छठीवरा, छटोकरा, मथुरा	3-2-86
167.	बशीर	„ शेरअली	मिरजापुर, अडूकी, मथुरा	3-2-86
168.	विजयसिंह	„ बलदेवसिंह	सलेमपुर, कृष्णानगर, मथुरा	19-1-86
169.	भगीरथ	„ कारेलाल	बहेरा, बहेरा, टीकमगढ़	19-1-86
170.	किशोरीलाल	„ रामदयाल	बहेरा, बहेरा, टीकमगढ़	19-1-86
171.	रामसेवक	„ पीरू	बहेरा, बहेरा, टीकमगढ़	19-1-86
172.	सुकराम	„ दम्मे	बहेरा, बहेरा, टीकमगढ़	19-1-86
173.	प्रभूदयाल	„ लक्ष्मन	भगरपुर, भगरपुर, झांसी	3-6-86
174.	सलीमखान	„ नत्थू खान	महोजा बजरिया, बाजरिया	19-1-86
175.	अच्छेलाल	„ रामदास	करहिवा, करहिवा, हमीरपुर	19-1-86
176.	रमेश	„ सीताराम	करहिवा, करहिवा, हमीरपुर	19-1-86
177.	निनुआ	„ रामसिंह	मुकन्दपुर, उसार, मथुरा	19-9-86
178.	धर्मपाल	„ रामबिहारी	गुटई, बेलाताल, महोवा	19-1-86

क्रम संख्या	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तिथि
179.	धनसिंह	श्री हल्के	जखनगांव, जखनगांव, टीकमगढ़	19-1-86
180.	जमुनाप्रसाद	„ बशोरे	भडोरी, निवाड़ी, टीकमगढ़	19-4-87
181.	डरू	„ काशी	निमचौनी, मऊरानीपुर, टीकमगढ़	18-10-88
182.	हरी राम	„ मनसुख	अखनगांव, जखनगांव, टीकमगढ़	22-4-87
183.	सत्यनारायन	„ चन्द्र सिंह	भटपुरा, भटपुरा, होशंगाबाद	22-4-87
184.	सोनी	„ छन्वी	बहेरा, बहेरा, टीकमगढ़	19-1-86
185.	मलखान	„ लखू	बहेरा, बहेरा, टीकमगढ़	19-1-86
186.	लक्ष्मीनारायन	„ मल्लू	जखनगांव, जखनगांव, टीकमगढ़	19-1-86
187.	बालकिशन	„ मुकन्दी	मुरेरा, मुरेरा, ग्वालियर	19-1-86
188.	हिम्मा	„ रघुनन्दन	करहिया, करहिया, हमीरपुर	19-1-86
189.	लेखराज	„ चिन्ता	भाई, बरारी, मथुरा	30-9-86
190.	चन्द्रभान	„ लेखराज	भाई बरारी, मथुरा	30-9-86
191.	शिवसिंह	„ दीवानसिंह	भाई, बरारी, मथुरा	30-9-86
192.	राजेन्द्र	„ हरीसिंह	भाई, बरारी, मथुरा	30-9-86
193.	गोपाल	„ खुशाली	भाई, बरारी, मथुरा	30-9-86
194.	फूल सिंह	„ प्यारेलाल	भाई, बरारी, मथुरा	30-9-86
195.	बाबू	„ रामसिंह	भाई, बरारी, मथुरा	24-1-87
196.	रमेश	„ दीकराम	पुरामन्साराम का सैवा, आगरा	30-9-86
197.	उत्तम सिंह	„ नत्थी लाल	बेगमपुर, पीथरी, मथुरा	30-9-86
198.	शिवसिंह	„ रामसिंह	हताना, हताना, मथुरा	30-9-86
199.	सीताराम	„ मोहरपाल	उन्दी, छाता, मथुरा	30-9-86
200.	अमरचन्द	„ लालचन्द	उन्दी, छाता, मथुरा	30-9-86
201.	धनश्याम	„ अकाली	लाडपुर दाता, मथुरा	30-9-86
202.	लालचन्द	„ शासी	खरोट, कोसी, मथुरा	30-9-86
203.	लखन	„ बन्शी	भैसा, भैसा, मथुरा	19-1-87
204.	रमेश	„ खेमचन्द	बसेरा, शिवार, मथुरा	30-9-86
205.	डालचन्द्र	„ रामजीलाल	डकोग, होडल, फरीदाबाद	30-9-86
206.	नौनिदध	„ रामस्वरूप	मुकन्दपुर, उत्पार, मथुरा	1-10-86
207.	सतीशचन्द्र	„ रुक्मिणोर	मुकन्दपुर, उत्पार, मथुरा	1-10-86
208.	नानक	„ हनुमन्ती	गुदराना, औरंगाबाद, फरीदाबाद	30-9-86
209.	रामखिलाड़ी	„ योभाराम	जुगसना, भीमस, आगरा	19-1-87
210.	प्रहलाद	„ लालाराम	लाडपुर, छाता, मथुरा	30-11-86
211.	राधाचरण	„ रामसिंह	महौली, भडूकी, मथुरा	19-1-87
212.	दीलतराम	„ नेकसिया	गहजापपुर रपुराजाट, मथुरा	30-9-86
213.	रामबाबू	„ हरीशंकर	बेदई, बेदई, असीगढ़	3-10-86
214.	तेजपाल	„ बिश्राम	बोरफा, अड़ीग, मथुरा	1-9-86
215.	सोहन	„ कोरतसिंह	पींगरी, पींगरी, मथुरा	29-8-86
216.	पोहपसिंह	„ भम्मलाल	बिरावली, पच्छिम, मथुरा	1-9-86
217.	रत्नवीर	„ सुरेन्द्र	पींगरी, पींगरी, मथुरा	20-9-86
218.	किशनसिंह	„ रामजीलाल	करवण, होडल, फरीदाबाद	18-1-86
219.	छोती	„ शिवचरण	झण्डीपुर, फरह, मथुरा	30-1-88
220.	महताबसिंह	„ लालाराम	झण्डीपुर, फरह, मथुरा	30-1-88
221.	नानकचन्द	„ नारायणसिंह	उन्दी, छाता, मथुरा	1-9-86
222.	भगवानसिंह	„ कमलसिंह	महौली, भडूकी, मथुरा	27-8-86
223.	बच्चू	„ खिल्लू	बोहरेका नगला, कृष्णानगर, मथुरा	29-8-86
224.	शवनसिंह	„ मनीराम	भाई, बरारी, मथुरा	29-8-86

क्रम सं	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तिथि
225.	राजेन्द्र	श्री हुकमसिंह	बछिगांव, बछिगांव, मथुरा	27-1-83
226.	जशहूरसिंह	„ लोहरेसिंह	बोहरे का नगला, कृष्णानगर, मथुरा	29-8-86
227.	लालसिंह	„ दाताराम	महौली, अड़की, मथुरा	3-9-86
228.	नारायण	„ लालसिंह	कोसीखुर्द, कोसीखुर्द, मथुरा	30-1-88
229.	प्रेमसिंह	„ मानसिंह	चौमुहां, चौमुहां, मथुरा	4-10-86
230.	हाकिम सिंह	„ लज्जा	चौमुहां, चौमुहां, मथुरा	20-8-86
231.	भगवानसिंह	„ गिराज	सींगना, रैपुराजाट, आगरा	1-9-86
232.	महावीर	„ रत्नसिंह	सींगना, रैपुराजाट, आगरा	29-8-86
233.	शिवराम	„ जंगजीत	रोशूकी गठी, फरह, मथुरा	27-1-88
234.	नाथूराम	„ मंगल	पलरा, पलरा, झांसी	4-1-87
235.	विगम्बर	„ खुशालसिंह	चोरफा, अड़की, मथुरा	1-8-86
236.	विजेन्द्रसिंह	„ पूरन	बोहरे का नगला, कृष्णानगर, मथुरा	29-8-86
237.	पद्मसिंह	„ धर्मसिंह	तारसी, धनगांव, मथुरा	29-8-86
238.	प्रेमकान्त	„ जगवीरसिंह	सौहल्ला, प्रतापपुरा, आगा	19-9-86
239.	शेरसिंह	„ नवलसिंह	गढ़ी बरौदा, परखम, मथुरा	19-9-86
240.	रमेश	„ हेमसिंह	खेल्ली, खेल्ली, धौलपुर	19-9-86
241.	जगनसिंह	„ श्यामलाल	मुकन्दपुर, उस्पाद, मथुरा	3-12-86
242.	पूरन	„ ठमरी	परखम, परखम, मथुरा	19-9-86
243.	बाबू	„ भूरी सिंह	कासोट, कासोट, भरतपुर	19-9-86
244.	कमल सिंह	„ गोपी	रोशूकी गठी, फरह, मथुरा	19-9-86
245.	अस्मन सिंह	„ राम सिंह	सिकन्दरपुर, दयालबाग, आगरा	19-9-86
246.	भीमा	„ दुब्बो	वकीलपुर, परखम, मथुरा	19-9-86
247.	रामगोपाल	„ किशन सिंह	बाकलपुर, परखम, मथुरा	19-9-86
248.	गंगा सिंह	„ भान सिंह	फतिहा, फरह, मथुरा	19-9-86
249.	अतरसिंह	„ मोहनलाल	आगनपुरा, बाद, मथुरा	19-9-86
250.	रामकिशन	„ कैलाशी	दौलतपुर, फरह, मथुरा	19-9-86
251.	छीतू	„ ग्यासी	बरौदा, परखम, मथुरा	19-9-86
252.	फूल सिंह	„ किशनसिंह	बाकलपुर, परखम, मथुरा	19-9-86
253.	रामबजरन	„ अमरसिंह	महचन्दपुर, नागपुरी, मुरैना	19-9-86
254.	गोपाल	„ हरीसिंह	बाकलपुर, परखम, मथुरा	19-9-86
255.	श्रीमप्रकाश	„ हाकिमसिंह	बरौदा, परखम, मथुरा	22-10-86
256.	नरेश कुमार	„ सुन्दरलाल	गोपालगली 344 धौली प्याऊ, मथुरा	19-9-86
257.	जग्गो	„ हरी सिंह	गढ़ी बरौदा, परखम, मथुरा	22-10-86
258.	रतन	„ हन्डू	भैंसा, भैंसा, मथुरा	19-1-87
259.	अरुणदास	„ रामस्वरूप	अड़की, अड़की, मथुरा	22-1-87
260.	मेघ सिंह	„ भंगनी	चौमुहां, चौमुहां, मथुरा	22-1-86
261.	किशन सिंह	„ पूरन	महौली, अड़की, मथुरा	27-8-86
262.	रतनसिंह	„ प्रेम सिंह	शाहजादपुर, रैपुराजाट, मथुरा	27-8-86
263.	सुम्मेरा	„ कारे सिंह	सलेमपुर, अड़की, मथुरा	27-8-86
264.	माम सिंह	„ किशन सिंह	सलेमपुर, अड़की, मथुरा	27-8-86
265.	चेतराम	„ भारती	महौली, अड़की, मथुरा	27-8-86
266.	महावीर सिंह	„ जंगजीत सिंह	शाहजादपुर, रैपुराजाट, मथुरा	27-8-86
267.	करम	„ सुम्मेरा	समसपुर, धनगांव, मथुरा	27-8-86
268.	विश्राम	„ रामस्वरूप	नगला बोहरा, सतोहा, मथुरा	27-8-89
269.	सोहन सिंह	„ सूरज	पींगरी, फरह, मथुरा	27-8-86
270.	कन्हैया लाल	„ होतीलाल	मुकन्दपुर उस्पाद, मथुरा	1-12-86
271.	नव्य किशोर	„ दुण्डा	मुकन्दपुर, उस्पाद, मथुरा	27-8-86

क्रम सं.	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तिथि
272.	रामचरण	श्री कारे सिंह	सलेमपुर, अड़की, मथुरा	27-8-86
273.	हाकिम सिंह	,, राम सिंह	अड़की, अड़की, मथुरा	27-8-86
274.	सूशव	,, गड्डर	तारसी, धनगांव, मथुरा	27-8-86
275.	बनेसी	,, होती लाल	मुकुन्दपुर, उस्मार, मथुरा	1-12-86
276.	निधू	,, श्री मंगी	अड़की, अड़की, मथुरा	27-8-86
277.	रामरतन	,, अंगूरी	अरसैना, रनकता, आगरा	27-8-86
278.	खजान सिंह	,, कमल सिंह	वाटी, वाटी, मथुरा	19-12-86
279.	जगवीर सिंह	,, रघुनाथ	मुकुन्दपुर, उस्मार, मथुरा	19-12-86
280.	भगवान सिंह	,, गोकुल	मुकुन्दपुर, उस्मार, मथुरा	19-12-86
281.	लक्खी	,, हरेत	मासूम नगर, अड़की, मथुरा	19-12-86
282.	केशवदेव	,, भूदीराम	तारसी, धनगांव, मथुरा	27-8-86
283.	गिराज	,, हुकम सिंह	मिर्जापुर, फरह, मथुरा	19-8-86
284.	मुन्शी	,, प्यारे	वाद, बाद, मथुरा	19-1-88
285.	उदयवीर	,, कामता प्रसाद	वैजपुर, बरहीगढ़, कानपुर	19-9-86
286.	लेखराज	,, श्री चन्द	सोंगनबुर्ज, रैपुराजाट, आगरा	28-1-88
287.	राधे लाल	,, ज्ञासों	अड़की, अड़की, मथुरा	28-1-88
288.	ज्वालाप्रसाद	,, प्यारेलाल	गढ़ भदनबारा, मथुरा	28-1-88
289.	सोरन सिंह	,, धूरेलाल	दौलतपुर, फरह, मथुरा	28-1-88
290.	विजय सिंह	,, डूंगर सिंह	अरसैना, रनकता, आगरा	28-1-88
291.	हन्डूराम	,, जयराम	माहीली, अड़की, मथुरा	28-1-88
292.	मोहन सिंह	,, टोड़ीराम	आसई, खुर्द, मौमुहां, मथुरा	28-1-88
293.	लाखन सिंह	,, धमी सिंह	सहारा, सहारा, आगरा	28-1-88
294.	ताराचन्द	,, पन्नालाल	गोपालगली 292 धौलीप्याऊ, मथुरा	3-10-86
295.	पूरन सिंह	,, फूसिया	धनौली, धनौली, आगरा	28-1-88
296.	सोहनलाल	,, पन्ती	नगला घन्सी, कृष्णानगर, मथुरा	28-1-88
297.	हजरत निजामुद्दीन	,, मुंशी	गोपालनगर, कृष्णा नगर, मथुरा	28-1-88
298.	अजयपाल	,, बंशीधर	सींगना, रैपुराजाट, मथुरा	28-1-88
299.	मोहन सिंह	,, रतन सिंह	फौडर, फौडर, मथुरा	28-1-88
300.	सुरेशचन्द्र	,, डोरीलाल	सींगना, रैपुराजाट, मथुरा	28-1-88
301.	रामस्वरूप	,, भूरा	बाजना, कृष्णानगर, मथुरा	23-8-86
302.	रामगोपाल	,, बाबूलाल	पौरी शहजादपुर, रैपुराजाट, मथुरा	28-1-88
303.	मोतीलाल	,, करन्जु	रूपाधमना, रूपामना, झांसी	28-1-88
304.	परमलाल	,, जवाहर	पलरा, पलरा, झांसी	28-1-88
305.	हरदयाल	,, झगडू	पलरा, पलरा, झांसी	28-1-88
306.	गनेश	,, गंगाधर	पलरा, पलरा, झांसी	28-1-88
307.	मानिकलाल	,, कल्लू	जावन, सकरारखिरक, झांसी	28-1-88
308.	कल्लू	,, झल्लू	वाद टंकी के पास झुग्गीबाद, मथुरा	3-1-87
309.	मोहन सिंह	,, परशादी	आसई खुर्द, आसई, खुर्द, मथुरा	3-1-87
310.	रामजीलाल	,, परशादी	आसई खुर्द, आसई, खुर्द, मथुरा	3-1-87
311.	विराजो	,, निधू	छटीकरा, छटीकरा, मथुरा	3-1-87
312.	उदयसिंह	,, हनषन्दी	अड़की, अड़की, मथुरा	3-1-87
313.	भीमसिंह	,, भज्जी	अड़की, अड़की, मथुरा	3-1-87
314.	प्रहलाद	,, बुद्धाराम	भैसा, भैसा, मथुरा	3-1-87
315.	भरतसिंह	,, मङ्गराजसिंह	कूम्हां, कूम्हां, मथुरा	3-1-87
316.	नरथोसिंह	,, भंडालसिंह	बढ़ीसा, बढ़ीसा, मथुरा	3-1-87
317.	बाबू	,, छोटे	मालीपाड़ा 253 धौलीप्याऊ, मथुरा	3-1-87

क्रम संख्या	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तिथि
318.	मोहनलाल	श्री देवीराम	गोपाल भवन, 29-3 धौलीप्याऊ, मथुरा	3-3-87
319.	कमल सिंह	,, भैयालाल	कुमहरी, कुमहरी, टीकमगढ़	22-10-82
320.	बहादुर	,, हीरालाल	मृगपुरा, मृगपुरा, मुरैना	4-1-88
321.	निहालसिंह	,, शोबसिंह	तोड़पुरा, सरीयजाऊ, आगरा	3-1-87
322.	हरगोविन्द	,, रामनारायण	बेलाखारा, बेलाखारा, रायबरेली	3-1-87
323.	नारायणदास	,, तुलई	घुराट, घुराट, झांसी	3-1-87
324.	हरचरणलाल	,, रामस्वरूप	वनगाँवाँ, तेरारखू, फर्रुखाबाद	3-1-87
325.	जसवन्तसिंह	,, गंगाराम	पिछोर, पिछोर, ग्वालियर	3-1-87
326.	किशनसिंह	,, छिन्ना	जुगसैना, रैपुराजाट, आगरा	3-1-87
327.	रतनलाल	,, हरचरण	अमानपुरा, जैतपुर, हमीपुर	3-1-87
328.	भारासिंह	,, गोपी	चुंडी गली 132 धौलीप्याऊ, मथुरा	10-1-88
329.	राकेश कुमार	,, राधेश्याम	बबन, नवाबभंज, फर्रुखाबाद	10-1-88
330.	देवदत्त	,, खजान सिंह	उकोरा, होखल, फरीदाबाद	3-1-87
331.	ब्रजमोहन	,, प्रभासी	बिरलामंदिर, जैसिंहपुरा, मथुरा	20-1-86
332.	गोपी सिंह	,, साभलसिंह	कासीट, कासीट, भरतपुर	20-1-86
333.	हुकम सिंह	,, लोहकी सिंह	कासीट, कासीट, भरतपुर	20-1-86
334.	निहाल सिंह	,, पञ्चालाल	गोपालपुर, मंहावन, मथुरा	21-1-86
335.	ओमप्रकाश	,, मूलचन्द	देवीपुरा, कृष्णनगर, मथुरा	21-1-86
336.	गिराज	,, गिरवर	सिहाना, अकबरपुर, मथुरा	21-1-86
337.	गनपत	,, बालू	सिहाना, अकबरपुर, मथुरा	21-1-86
338.	अमरचन्द	,, तोताराम	देवीपुरा, कृष्णनगर, मथुरा	21-1-86
339.	गोपाल	,, नत्थे	सिहाना, अकबरपुर, मथुरा	20-9-86
340.	गंगी	,, चुन्नी	सिहाना, अकबरपुर, मथुरा	20-9-86
341.	रघुवीर	,, फूलसिंह	नगला संजम, नगला संजा, मथुरा	1-1-87
342.	चोखेलाल	,, देवीराम	सिहाना, अकबरपुर, मथुरा	27-9-86
343.	रामधन	,, बूचीराम	सिहाना, अकबरपुर, मथुरा	27-9-86
344.	हुकमचन्द	,, हट्टी	वामनीखेड़ा, वामनीखेड़ा, फरीदाबाद	3-1-87
345.	छक्की लाल	,, दीनदयाल	कनोस, कुलारा, हमीरपुर	1-3-87
346.	रवीन्द्र कुमार	,, रोशन सिंह	सिधौली, फेरा, अलीगढ़	2-1-87
347.	विष्णु प्रसाद	,, रघुवीर प्रसाद	भिलावली, बीना, सागर	3-12-86
348.	सरमन	,, कनरे	सलेमपुर, अझूकी, मथुरा	1-1-87
349.	लक्ष्मण सिंह	,, रघुवीर	होडल, होडल, फरीदाबाद	27-9-86
350.	राम प्रसाद	,, हल्कूराम	किरविदा, बीना, सागर	21-1-86
351.	हरदेवा	,, कूरे	घुराट, घुराट, झांसी	21-12-86
352.	रघुवीर सिंह	,, चरमसिंह	शहजादपुर, रैपुराजाट, मथुरा	22-1-88
353.	भगवान सिंह	,, धूपन	महुअन, फरह, मथुरा	3-2-88
354.	मदनलाल	,, हरचन्द	शहजादपुर, रैपुराजाट, मथुरा	22-1-88
355.	श्याम सिंह	,, जानी सिंह	महुअन, फरह, मथुरा	3-2-88
356.	उदयसिंह	,, राम प्रसाद	पौरी, रैपुराजाट, मथुरा	22-1-88
357.	भूप सिंह	,, जालिम सिंह	पौरी, रैपुराजाट, मथुरा	22-1-88
358.	माखन सिंह	,, सुकबी	महुअन, फरह, मथुरा	3-2-88
359.	राम प्रसाद	,, रामजीलाल	महुअन, फरह, मथुरा	22-1-88
360.	जानी	,, यस्मी	अझूकी, अझूकी, मथुरा	22-1-88
361.	राम किशोर	,, धान सिंह	दौलतपुर, फरह, मथुरा	3-2-88

क्रम संख्या	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तिथि
362.	अमर सिंह	श्री सिद्धन लाल	दौलतपुर, फरह, मथुरा	22-1-88
363.	पूरन सिंह	,, राम स्वहम	पौरी, रैपुराजाट, मथुरा	22-1-88
364.	महावीर	,, रोहन सिंह	पौरी, रैपुराजाटा, मथुरा	22-1-88
365.	भरत सिंह	,, चन्दालाल	अडूकी, अडूकी, मथुरा	22-1-88
366.	पीतृ सिंह	,, मूल चन्द	अडूकी, अडूकी, मथुरा	22-1-88
367.	सन्तोष कुमार	,, बिन्देलाल	बहेरा, बहेरा, टीकमगढ़	22-1-88
368.	सालिग्राम	,, नम्पू	चुरारी, बहेरा, टीकमगढ़	22-1-88
369.	रामबहाल	,, सुमान	जीखन गांव, जिलनगांव, टीकमगढ़	22-1-88
370.	बालाराम	,, धुधू	जिखनगांव, जिखनगांव, टीकमगढ़	22-1-88
371.	हम्मीरसिंह	,, उत्तम सिंह	छिपाई, रायपुर, ललितपुर,	22-1-88
372.	जमवेद सिंह	,, चन्दन सिंह	छिपाई, रायपुर, ललितपुर	22-1-88
373.	नन्दू	,, मुक्ता	छिपाई, रायपुर, ललितपुर	22-1-88
374.	रतन सिंह	,, रामसरन सिंह	पौरी, रैपुराजाट, मथुरा	23-8-86
375.	कमलसिंह	,, ब्रेताल	पौरी, रैपुराजाट, मथुरा	23-8-86
376.	रमेशचन्द्र	,, शिब्रा	बरोदा, परखम, मथुरा	23-8-86
377.	राम प्रसाद	,, गनेशी	शनोरा, फरह, मथुरा	23-8-86
378.	सीताराम	,, मानकचन्द	परखम, परखम, मथुरा	23-8-86
379.	महेन्द्र	,, सुक्खी	उन्वी, छाता, मथुरा	26-8-86
380.	डालचन्द	,, गंगासरन	बोहरे का नगला, कृष्णनगर, मथुरा	26-8-86
381.	नत्थी लाल	,, मवासी	राणू की गद्दी, फरह, मथुरा	26-8-86
382.	राम बाबू	,, जवाली राम	रैपुराजाट, रैपुराजाट, मथुरा	26-8-86
383.	सूरजमल	,, धोखनसिंह	गद्दी तिरखा, परखम, मथुरा	18-12-86
384.	विशम सिंह	,, छतरीसिंह	भंविया नगला, कैम्पल, अलीगढ़	26-12-86
385.	महेशचन्द्र	,, साधू	शाहपुर, फरह, मथुरा	3-8-86
386.	राम प्रकाश	,, गजाधर	चुंगी गली, 160 धोली प्याऊ, मथुरा	3-8-86
387.	तानक चन्द	,, शिव राम	हथियाता, कोसीकला, मथुरा	1-1-87
388.	प्रेम	,, शकूर	चोमुहा, चोमुहा, मथुरा	23-10-86
389.	बच्चू सिंह	,, हन्डू	अकबरपुर, अकबरपुर, मथुरा	3-8-86
390.	हाकिम सिंह	,, मंगी	ऊंचा गांव, उस्तार, मथुरा	18-2-86
391.	अतर सिंह	,, बी. री. सिंह	पौरी, रैपुराजाट, मथुरा	18-2-88
392.	टीकमसिंह	,, सुखपाल	कोसीकला, कोसीकला, मथुरा	18-2-86
393.	महेन्द्र सिंह	,, किशन सिंह	बरोली, बरोली, मथुरा	19-1-87
394.	तुखा	,, छिंगा	जुगसेना, रैपुराजाट, मथुरा	19-1-87
395.	लीला	,, मेवाराम	गहजापूर, रैपुराजाट, मथुरा	28-9-86
396.	गरम सिंह	,, हरी लाल	बलिहावादेह, सूरतगंज, इलाहाबाद	29-9-86
397.	अतर सिंह	,, होती लाल	नगला जंगली, नगला जंगली, मथुरा	29-9-86
398.	दशरथ लाल	,, श्रीनाथ	बलिहावादेह, सूरतगंज, इलाहाबाद	29-9-86
399.	मान सिंह	,, सुखराम	अकबरपुर, अकबरपुर, मथुरा	3-12-86
400.	रामरतनसिंह	,, साहब सिंह	गादोली, गादोली, भरतपुर	3-12-86
401.	पूरन सिंह	,, किशनलाल	बोहरा, नगरा किरावली, आगरा	3-12-86
402.	बच्चू सिंह	,, बाबू लाल	बसू, गजू, मथुरा	3-12-86
403.	हरी सिंह	,, महादेव सिंह	गोपल गली 333/3 धोली प्याऊ, मथुरा	3-10-86
404.	जोषी	,, गुट्टा	परखम, परखम, मथुरा	3-10-86
405.	मान सिंह	,, टेकचन्द	शेखपुरा, पलवल, फरीदाबाद	25-11-86
406.	सुधडी	,, पम्पाल	कमई, कमई, मथुरा	19-12-86
407.	शिवचरन	,, रेवती	आमई, आमई, मथुरा	21-12-86

क्रम संख्या	कर्मचारी का नाम	पिता का नाम	कर्मचारी का नाम	कार्य पर लगने की तिथि
408.	राजेन्द्र प्रसाद	श्री नबोलीराम	अडीग, अडीग, मथुरा	29-9-86
409.	सवाई लाल	„ मालखान	देवनगर, गोपाल नगर, मथुरा	25-11-86
410.	राम प्रसाद	„ कमल सिंह	अडूको अडूकी, मथुरा	29-9-86
411.	बिरजो	„ धान सिंह	शहजादपुर, रैपुराजाट, मथुरा	29-9-88
412.	सुरेश कुमार	„ मैटोले	सिजोरा, जुहारी, झांसी	3-1-87
413.	रामबाबू	„ लालताप्रसाद	मुकन्दपुर, उत्पार, मथुरा	3-2-86
414.	मुषीलाल	„ क्षुग्गा	रिहिल्या, महोबा, हमीरपुर	22-10-82
415.	बद्री प्रसाद	„ मखाराम	बन्दी मुहाड़िया, सिराली होशंगाबाद	3-12-86
416.	ओम प्रकाश	„ उदयसिंह	आझई, आझई, मथुरा	3-12-86
417.	विजयपाल	„ सिटलू	हताना, हताना, मथुरा	3-12-86
418.	पृथ्वी	„ किशोरी	करसन, होडल, फरीदाबाद	3-12-86
419.	भीकम	„ उदयसिंह	आझई, आझई, मथुरा	3-12-86
420.	रामहेत	„ निनुआ	आझई, आझई, मथुरा	3-12-86
421.	मोहनसिंह	„ प्रभानी	परखम, परखम, मथुरा	3-12-86
422.	बजीश	„ घन्शी	परखम, परखम, मथुरा	3-12-86
423.	हेत सिंह	„ हरी सिंह	परखम, परखम, मथुरा	3-12-86
424.	रामदीन	„ गरीबा	झुण्डगांव, भगरधा, होशंगाबाद	3-12-86
425.	बाबूदीन	„ नूरखां	मीकरी, फतेहपुरी, आगरा,	3-12-86
426.	रामजीत	„ अमरसिंह	पुरखपुर, उत्पार, मथुरा	3-12-86
427.	लाखन	„ मुम्मेरा	बिचोला, जलालपुर, धोलपुर	3-12-84
428.	चतुरी	„ बक्सी	कुरकुन्दा, फरह, मथुरा	3-12-86
429.	आशाराम	„ राधाणिव	कुरकुन्दा, फरह, मथुरा	3-12-86
430.	विजय	„ झांसी	आझई, आझई, मथुरा	3-12-86
431.	मोहरसिंह	„ मूला	मीरेटा, जलालपुर, धोलपुर	3-12-86
432.	जनकसिंह	„ पीतमसिंह	मीरेटा, जलालपुर, धोलपुर	3-12-86
433.	साबू	„ बाबू	मीरेटा, जलालपुर, धोलपुर	3-12-86
434.	घनश्याम	„ भागमल	गाहोली, गाहोली, मथुरा	3-12-86
435.	सुरेन्द्र सिंह	„ लक्ष्मीनारायण	सोहल्ला, प्रतापुरा, मथुरा	3-12-86
436.	मोहन	„ बीरो	आझई, आझई, मथुरा	3-12-86
437.	मंगल	„ प्रभू	शाहपुर, फरह, मथुरा	21-10-86
438.	ओमप्रकाश	„ रामजीलाल	खोशू की गढ़ी, फरह, मथुरा	21-10-86
439.	तेजसिंह	„ प्यारेलाल	नरीपुरा, रामपुर, आगरा	21-10-86
440.	देवदत्त	„ रोशनसिंह	नरीपुरा, रामपुर, आगरा	21-10-86
441.	प्रेमसिंह	„ जीवाराम	बरोदा, परखम, मथुरा	21-10-86
442.	गोकुलचन्द्र	„ श्रीचन्द्र	शाहपुर, फरह, मथुरा	21-10-86
443.	जगनप्रसाद	„ कन्हैया	शाहपुर, फरह, मथुरा	21-10-86
444.	कालीचरन	„ रमजू	रोशूकी गढ़ी, फरह, मथुरा	21-10-86
445.	सोहनलाल	„ लाल हंस	बरोदा, परखम, मथुरा	21-12-86
446.	पीताम्बर	„ कन्हैयालाल	अडूको, अडूको, मथुरा	21-12-86
447.	सोबानसिंह	„ वृन्दावन	गुड्डापुरा (बसारेपुरा) मानिया	21-12-86
448.	निरोत्तम	„ लालहंस	बरोटा, परखम, मथुरा	21-12-86
449.	कालीचरन	„ मंगला	महुअन, फरह, मथुरा	27-8-86
450.	हरीसिंह	„ गोविन्दा	सांगना, रैपुराजाट, आगरा	21-10-86
451.	महेशचन्द्र	„ रामम्बरूप	जमालपुर, परखम, मथुरा	3-12-86

क्रम संख्या	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तिथि
452.	बलवीर	श्री राधाकिशन	महुअन, फरह, मथुरा	26-1-87
453.	नबाब	,, शिखो	अडूकी, अडूकी, मथुरा	22-1-88
454.	भगवत	,, गिराज	गोहारी, बोलाना, मथुरा	22-1-88
455.	लाखन	,, हरचन्द्र	विरवा की गढ़ी, परखम, मथुरा	22-10-86
456.	रामप्रसाद	,, ज्ञासी	माधुरी, सैयरी, टीकमगढ़	19-10-86
457.	बोदराम	,, भोगीराम	शहजादपुर, रैपुराजाट, मथुरा	20-10-86
458.	वनवारी	,, तोताराम	शहजादपुर, रैपुराजाट, मथुरा	20-10-86
459.	मुंशीलाल	,, कुनकुन	उन्दी, छाता, मथुरा	20-10-86
460.	पटमल	,, मंगीलाल	बमूरी, बरारी, मथुरा	20-10-86
461.	भवानी शंकर	,, पीतम सिंह	धखोला, रैपुराजाट, मथुरा	20-10-86
462.	मनोहर	,, खिल्लू	गढ़ी रोशू, फरह, मथुरा	20-10-86
463.	खेम सिंह	,, रामसिंह	गढ़ी रोशू, फरह, मथुरा	30-10-86
464.	राजेन्द्र सिंह	,, भोजीराम	शहजादपुर, रैपुराजाट, मथुरा	20-11-86
465.	लच्छो	,, भोजीराम	शहजादपुर, रैपुराजाट, मथुरा	19-11-86
466.	भूपसिंह	,, लीला	सींगना, फरह, मथुरा	12-8-87
467.	मोहनसिंह	,, मवासीराम	महुअन, फरह, मथुरा	3-1-88
468.	परसोनी	,, मवासी	मुकन्दपुर, उत्पार, मथुरा	22-1-86
469.	बाबूलाल	,, प्यारेलाल	मुकन्दपुर, उत्पार, मथुरा	20-1-86
470.	अर्जन	,, सुम्मेरा	रंगोली, इमिलिया, छतरपुर	3-12-86
471.	हरीलाल	,, जवाली	बहादुरपुर, बहादुरपुर, धौलपुर	3-1-88
472.	रामलाल	,, श्रीराम	बोहरेका नगला, कृष्णनगर, मथुरा	20-9-86
473.	रामसरूप	,, धर्मजीत	लादरा, सरसेठ, छतरपुर	20-9-86
474.	महावीर	,, मूला	परखम, परखम, मथुरा	20-9-86
475.	रमेश	,, नारायण सिंह		
476.	सुखलाल	,, लच्छू	जिखनगांव, जिखनगांव, टीकमगढ़	3-2-88
477.	मथुरा	,, धनश्याम	जिखनगांव, जिखनगांव, टीकमगढ़	3-2-88
478.	अजु टटी	,, सुन्ने	जिखनगांव, जिखनगांव, टीकमगढ़	3-2-88
479.	अमरसिंह	,, जालिमसिंह	पपैरा रैपुराजाट, मथुरा	3-2-88
480.	गिराज	,, पिट्टू	पौरी, रैपुराजाट, मथुरा	3-2-88
481.	करनसिंह	,, मोहनलाल	अडूकी, अडूकी, मथुरा	3-2-88
482.	विजयसिंह	श्री राजपीत	आसई, आसई, मथुरा	3-2-88
483.	तेजी	,, शोभी	उमराया, सहार, मथुरा	3-2-88
484.	गोरा	,, भगवत	महुअन, फरह, मथुरा	3-3-88
485.	प्रताप सिंह	,, मल्हर	हताना, कोसीकलां, मथुरा	3-2-88
486.	भगवानदास	,, करन सिंह	न. चिरंजी मालीका, बड़ौत, मथुरा	3-2-88
487.	धनश्याम	,, डरू	पलेरा, पलेरा, झांसी	3-2-88
488.	शरीफ मुहम्मद	,, मुरादी	भाई, बरारी, मथुरा	3-2-88
489.	गोविन्द बास	,, डमरू	मर्दनपुरा, जेवर, टीकमगढ़	3-2-88
490.	भगवानदास	,, हरकिशन	विसातपुरा, जेवर, टीकमगढ़	3-2-88
491.	वेद प्रकाश	,, धमण्डीलाल	सुनारी, बिचपुरी, आगरा	3-2-88
492.	रामकिशन	,, रतनी	आसई, आसई, मथुरा	3-2-88
493.	मधु सिंह	,, पंगा	कमई, कमई, मथुरा	3-2-88
494.	वृजराज	,, हरजू	जिखनगांव, जिखनगांव, टीकमगढ़	3-2-88
495.	डमरू	,, ज्ञासी	विसातपुरा, जेवर, टीकमगढ़	3-2-88
496.	शिवदयाल	,, बसई	अब-सेब, अब-सेब, झांसी	3-12-86

क्र.सं. संख्या	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तिथि
497.	अनिलकुमार	श्री लखनलाल	अव-सेव, अव-सेव, झांसी	3-12-86
498.	लालचंद	॥ डाँडू	फोरन, फोरन, मथुरा	3-12-86
499.	विष्णु	॥ नंदू	अव-सेन अव-सेन, झांसी	3-12-86
500.	अनिल राम	॥ गनेश	अड़जार, मंगरपुर, झांसी	3-12-86
501.	प्रभुकांत	॥ पारीक्षित	बकआसागर, बकआसागर, झांसी	3-12-86
502.	विन्ध्य	॥ किशोर	अड़जार, मंगरपुर, झांसी	3-12-86
503.	अनिल	॥ लालचंद	हरपुरा, बकआसागर, झांसी	3-12-86
504.	अनिल	॥ कान्हो	अड़जार, मंगरपुर, झांसी	3-12-86
505.	बुधप्रसाद	॥ वसुधाम	अड़जार, मंगरपुर, झांसी	3-12-86
506.	मुन्नी लाल	॥ वसुधाम	सिलगुवा, घुराट, झांसी	3-12-86
507.	मांसाजी	॥ मुन्नी लाल	लखर, लखर, खालियार	20-9-86
508.	हनुमान	॥ रामचंद्र	अड़जार, मंगरपुर, झांसी	3-12-86
509.	कुंज	॥ देवी	विल्ट (उपहारा) (जुगाया, टीकमगढ़)	3-12-86
510.	प्रकाश	॥ देवी	बकआसागर, बकआसागर, झांसी	3-12-86
511.	अनिल	॥ रामेश्वर प्रसाद	पीपरी, महोकण्ड, हमीरपुर	3-1-87
512.	अनिल	॥ मुन्नीलाल	पीपरी, महोकण्ड, हमीरपुर	3-1-87
513.	अनिल	॥ तुलाराम	सिवार, सिवार, मथुरा	3-1-87
514.	सिवराम	॥ अयासीराम	खरोट, कोसीकलां, मथुरा	3-1-87
515.	अनिल	॥ अण्डी	हताना, हताना, मथुरा	3-1-87
516.	अनिल	॥ राम सिंह	देवापुरा, कुण्डनगर, मथुरा	3-1-87
517.	अनिल	॥ रामचंद्र	बसौरा, विार, मथुरा	3-1-87
518.	अनिल	॥ गंगाराम	अड़की, अड़की, मथुरा	20-1-86
519.	अनिल	॥ अयासीराम	भड़वारा, तुलाराम, हमीरपुर	3-1-87
520.	निरपतसिंह	॥ रघुनाथ	बड़ा, सरसई, हमीरपुर	3-1-87
521.	अनिल	॥ अजीर	चिल्ली, सठचिल्ली, हमीरपुर	3-1-87
522.	अनिल	॥ सुनु	जिखनगांव, जिखनगांव, टीकमगढ़	3-1-87
523.	अनिल	॥ अजयप्रसाद	जिखनगांव, जिखनगांव, टीकमगढ़	3-1-87
524.	अनिल	॥ पीर	लहेश, बहेश, टीकमगढ़	3-1-87
525.	अनिल	॥ रामजी	कुलुआ, कुलुआ, टीकमगढ़	3-1-87
526.	अनिल	॥ अजयप्रसाद	पीपरी, महोकण्ड, हमीरपुर	3-1-87
527.	अनिल	॥ अजयप्रसाद	पीपरी, महोकण्ड, हमीरपुर	3-1-87
528.	अनिल	॥ गुटठी	लखायसुर, घवाकर, झांसी	3-1-87
529.	अनिल	॥ अयासीराम	जुगाया, बकआसागर, झांसी	3-1-87
530.	अनिल	॥ देवी	टपरिया, टीकमगढ़	3-2-87
531.	अनिल	॥ हिमप्रसाद	नीगांव, पनवाडी, हमीरपुर	3-2-87
532.	अनिल	॥ गोकुलसिंह	बोधीपुर, नगरिया पट्टी देवरी अलीगढ़	23-7-86
533.	अनिल	॥ रघुनंदन	कराहमा, करहिमा, हमीरपुर	21-1-86
534.	अनिल	॥ अण्डी	अड़की, अड़की, मथुरा	20-1-86
535.	अनिल	॥ अण्डी	अड़की, अड़की, मथुरा	22-1-86
536.	अनिल	॥ अण्डी	पीपरी, रंजाराजगढ़, मथुरा	21-1-88
537.	अनिल	॥ जल्लू	अकबरपुर, अकबरपुर, मथुरा	21-1-88
538.	अनिल	॥ अण्डी	अड़की, अड़की, मथुरा	21-1-88
539.	अनिल	॥ गंगादास	आसई, आसई, मथुरा	21-1-88
540.	अनिल	॥ अण्डी	सलोटी, बांसीखेड़ा, फरीदाबाद	27-1-88
541.	अनिल	॥ अण्डी	कुमेरी, कुमेरी, मुरैना	21-12-86

क्रम सं.	कर्मचारी का नाम	पिता का नाम	कर्मचारी का पता	कार्य पर लगने की तारीख
542	कन्हैया लाल	श्री गिराज प्रसाद	घन्सीगा, घन्सीगा, मथुरा	21-1-88
543	श्रीकारसिंह	„ सनेही	नगलाघन्सी, कृष्णनगर, मथुरा	21-1-88
544	रामसिंह	„ सुम्मेरा	कासिमपुर, कासिमपुर, धौलपुर	25-8-86
545	कालीधरन	„ खुन्नी	कासिमपुर, कासिमपुर, धौलपुर	25-8-86
546	देवा सिंह	„ चन्द्रभान	टपरा, टपरा, आगरा	25-8-86
547	जसवन्त	„ चतुरसिंह	साहनपुर, भैसेना, धौलपुर	25-8-86
548	छत्रपाल	„ पन्नालाल	नडाराहील, सुल्तानपुर, धौलपुर, आगरा	25-8-86
549	पूरन	„ बिहारी	टपरा, टपरा, आगरा	25-8-86
550	नाहरसिंह	„ प्रभू	साहनपुर, भैसेना, धौलपुर	25-8-86
551	श्रीमप्रकाश	„ कुब्जलाल	साहनपुर, भैसेना, धौलपुर	25-8-86
552	बालकृष्णन	„ गणेशलाल	टपरा, टपरा, आगरा	25-8-86
553	हरीसिंह	„ चैता	शिवनगर, आगरा, आगरा	25-8-86
554	रामभरोसी	„ टीकाराम	साहनपुर, भैसेना, धौलपुर	25-8-86
555	राजेंद्र प्रसाद	„ शंकरलाल	धनौली, धनौली, आगरा	25-8-86
556	रामरत्न	„ बाबूलाल	शमीतपुर, धौलपुर, धौलपुर	25-8-86
557	अमरसिंह	„ रामस्वरूप	बाबूलपुर, बाबूलपुर, धौलपुर	25-8-86
558	धुरे सिंह	„ मोतीलाल	वेणीपुरा, भौसेखर, मथुरा	24-10-86
559	द्वारिका	„ रामधवल	बागधर, बागधर, धौलपुर	20-11-86
560	मनमूल	„ सुश्रु	विपरपुर, मनियां, धौलपुर	20-11-86
561	ठाकुरदास	„ लालाराम	बिजौली, बिजौली, धौलपुर	20-11-86
562	किशनसिंह	„ बंशीधर	झांसी, झांसी, झांसी	20-11-86
563	लालाराम	„ लटोले	कश्मासगर, कश्मासगर, झांसी	20-11-86
564	नैमीचन्द्र	„ गुलाब सिंह	चंसोरा, चंसोरा, धौलपुर	20-11-86
565	चरनसिंह	„ राजाराम	मन्सूरपुर, जसपुरा, धौलपुर	20-11-86
566	सुन्दर	„ ध्यासलाल	भैसेना, भैसेना, धौलपुर	20-11-86
567	रामप्रकाश	„ सुखराम	बिजौली, मनियां, धौलपुर	21-1-88
568	बच्चूसिंह	„ सुजानसिंह	सहजादपुर, रैपुराजोट, मथुरा	24-1-88
569	देशराज	„ सुन्दरलाल	बलिहादपुर, मूरतगंज, इलाहाबाद	20-9-86
570	प्रेमवारायण	„ पारीक्षित	कोडीलपुर, बरुआसगर, झांसी	20-9-86
571	अर्जुनसिंह	„ बुगलसिंह	अडूकी, अडूकी मथुरा	28-1-86

नई दिल्ली, 10 सितम्बर, 1996

क्र० आ० 2809.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मध्य रेल के प्रबंधन के संबंध में निम्नलिखित औद्योगिक विवाद में कर्मचारियों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई नं० 1 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-9-96 को प्राप्त हुआ था।

[संख्या एल-41012/100/92-आई आर बी आई]

पी० जे० माईकल, डेस्क अधिकारी

New Delhi, the 10th September, 1996

S.O. 2809.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government In-

dustrial Tribunal No. 1 as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Railway and their workmen, which was received by the Central Government on 6-9-96.

[No. L-41012/100/92-IRBI]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT:

Shri Justice R. S. Verma, Presiding Officer.

Reference No. CGIT-79 of 1993

PARTIES:

Employers in relation to the management of Central Railway.

AND

Their workmen.

APPEARANCES :

For the Management : Shri R. S. Samant, Advocate.

For the Workman : Shri L. M. Nerlekar, Advocate.

State : Maharashtra.

Mumbai, the 13th day of August, 1996

AWARD

Shri L. M. Nerlekar, Advocate for workman.

Shri R. S. Samant for management.

Shri L. M. Nerlekar has filed an application for permission to withdraw his vakalatnama. For the reasons given in the application, he is allowed to withdraw his power. Moreover, an ex-parte order has already been made against the workman.

Shri Samant filed on 24-7-96 an affidavit of Sadho Sitaram Kadam in ex-parte evidence. Heard Shri Kadam.

The appropriate Government by order dated 20-10-93 referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of General Manager, Central Railway, Bombay V. T., Bombay in terminating the services of Shri C. P. Hansraj and refusing to extend the benefit of continuity of service, back wages and all other attendant benefits from the date of his termination is legal and justified? If not, to what relief is the workman entitled to?"

The workman filed his written statement of claim on 17th January, 1994, wherein it was pleaded that the workman was employed as a casual labour on 2-5-84 and he worked continuously upto 26-01-1986 but was not allowed to work from 27-1-1986.

The management refuted the allegation that the workman was not allowed to resume duties on 27-1-86. It was alleged that in month of January, 1986 vigilance check was conducted to ascertain genuineness of his service card and a letter was issued to him on 25-1-86 in this behalf but the workman did not get his service verified and absconded from service since 27-1-86. It was alleged that the workman had secured service by using a bogus service card No. 36972. He, therefore, did not resume service since 27-1-1986.

The workman has not filed his own affidavit and the matter was ordered to proceed ex-parte. In ex-parte evidence, affidavit of Shri S. S. Kadam was filed which goes to show that service card of workman was to be verified and a letter dated 25-1-86 was issued to him. He absconded since 27-1-86 and did not resume his duty. There is no reason to disbelieve the statement. Hence, I hold that the workman has failed to establish that his services were terminated illegally on 27-1-86. Rather, it is established that he himself absconded and thus abandoned the job. To my mind, he is not entitled to any relief. Reference is answered accordingly and this award is passed as indicated above. In the circumstances of the case, parties are left bear their own costs.

R. S. VERMA, Presiding Officer

नई दिल्ली, 12 सितम्बर, 1996

का० प्रा० 2810.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक

विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-9-96 को प्राप्त हुआ था।

[संख्या एल०-12012/213/90-आई. आर. बी.आई.]

पी० जे० माईकल, डैस्क अधिकारी

New Delhi, the 12th September, 1996

S.O. 2810.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SBI and their workman, which was received by the Central Government on 11-9-96.

[No. L-12012/213/90-JRBI]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 43/91

In the matter of dispute between :

Shri Suresh Chand Chak through B. N. K. Johar, Dy. General Secretary and President State Bank of India Staff Association, H. No. 22, State Bank of India Colony, Jaipur House, Agra-282001.

Versus

State Bank of India, through its Dy. General Manager, Zonal Office, Lauries Hostel, M. G. Road, Partap Pura, Agra Cantt.

APPEARANCES :

None for the workman.

Shri A. K. Aggarwal for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/213/90-I.R.(B-3) dated 4-4-91 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether Shri Suresh Chand Chak, Janta Deposit Collector was a workman of the State Bank of India, Agra? If so, whether the action of the management of State Bank of India was justified in terminating the services of Shri Suresh Chand Chak w.e.f. 24-1-90? If not, what relief Shri Suresh Chand Chak is entitled to?"

2. It was alleged in the statement of claim that the workman was employed by the management as Janta Deposit Collector on 4-7-80 on the basis of an agreement of the said date. He was authorised to receive the deposits while visiting from door to door to promote the bank business. He was paid remuneration for his service as deposit collector by way of commission. He was covered under the definition of a workman as envisaged under section 2(s) of the I.D. Act. He was under the control of the management and was supposed to work from 10 AM to 5 PM and even after these hours he used to visit depositors. The management terminated the services of the workman on 24-1-90 without assigning any reason. Hence he was entitled to reinstatement with full back wages.

3. The Management in its written statement alleged that Shri Suresh Chand Chak was engaged as Janta Deposit Collector under the Janta Deposit Scheme of the bank in the year 1980 as per agreement dated 4-7-80 executed between

both the parties. Both the parties were bound by the terms of the agreement and copy of the said agreement was marked as Annexure M-1. The collector was to collect deposit from different customers and deposit the same in the bank and on the basis of collections made by him commission was to be paid to him. He was engaged as an agent only and was not in regular employment of the bank. According to the terms of the agreement the agreement was to remain in force until terminated by the bank at its discretion or by deposit collector.

4. The case was fixed for management evidence when none appeared on behalf of the workman on 18-10-94 and the workman was proceeded against ex-parte.

5. The Management witness Shri A. K. Aggarwal filed affidavit Ex. MW 1/1 and he was not cross-examined by the workman or his representative. The workman did not lead any evidence as he had been proceeded against ex-parte.

6. I have heard representative for the Management and have gone through the record. The arguments put forward by the representative for the Management are reasonable and there is nothing on record to suggest that the relationship of employer and employee existed between the Parties. The workman has failed to establish that he was in the employment of the management and there was termination of his services for which he could come to a court of law. His employment was purely on the basis of an agreement which could be terminated by the management at any time and the workman could terminate it after giving three months notice. The payment was also made on the basis of commission to be calculated on the amount collected by the Collector and deposited in the bank. There was, therefore, no relationship of employer and employee established in this case and the action of the management in terminating the Agency was fully justified. Parties are, however, left to bear their own costs.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 12 सितम्बर, 1996

का. आ. 2811—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में औद्योगिक अधिकरण, अजमेर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-9-96 को प्राप्त हुआ था।

[संख्या एल—12012/18/95—आई. आर. बी. आई]

पी. जे. माईकल, डेस्क अधिकारी

New Delhi, the 12th September, 1996

S.O. 2811.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Ajmer as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SBI and their workman, which was received by the Central Government on 11-9-1996.

[No. L-12012/18/95-IRBI]
P. J. MICHAEL, Desk Officer

अनुबन्ध

न्यायालय—श्रम न्यायालय एवं औद्योगिक न्यायाधिकरण,

अजमेर

प्रकरण संख्या—सी. आई. टी. आर. 01/96

भारत सरकार के श्रम विभाग की अधिसूचना एल—

12012/18/95 आई. आर. बी., 22-2-96

पीठासीन अधिकारी—श्री हरि सिंह यू. अस्नानी

सचिव, भारतीय स्टेट बैंक स्टाफ एसोसिएशन,

जरिये स्टेट बैंक ऑफ इंडिया, लोका वर्कशाप, अजमेर

प्रार्थी

बनाम

सहायक महाप्रबन्धक भारतीय स्टेट बैंक, आंचलिक कार्यालय 5 नेहरू पलेस, टोंक रोड़ जयपुर

अप्रार्थी

प्रार्थी की ओर से

स्वयं

अप्रार्थी की ओर से

श्री आर. सी. जेन

अवाई —

29-8-1996

1. भारत सरकार ने निम्न विवाद अधिनिर्णय के लिए इस न्यायाधिकरण को प्रेषित किया —

“क्या सहायक महाप्रबन्धक, भारतीय स्टेट बैंक, जयपुर के द्वारा श्री दिनेश चन्द भार्गव को जून, 1993 से प्रधान लिपिक के पद पर पदोन्नति नहीं दिया जाना उचित एवं बंध है। यदि नहीं तो श्रमिक किस राहत का अधिकारी है।”

भारतीय स्टेट बैंक आंचलिक कार्यालय—5 नेहरू पलेस टोंक रोड़ जयपुर (जिसे संक्षेप में नियोजक कहेंगे) के विरुद्ध स्टेटमेंट ऑफ क्लेम संक्षेप में निम्न आशय का पेश किया है —

(क) यह कि प्रार्थी को नियोजक ने 8 अप्रैल, 1993 को एक आरोप पत्र दिया, जो जांच करने के बाद नियोजक ने आधारहीन पाते हुए वापस भी ले लिया।

(ख) यह कि आरोप पत्र पूर्व नियोजित तरीके से प्रार्थी को जारी किया गया ताकि कनिष्ठ लिपिक श्रीमती जगदीश कुमारी चावला को प्रधान लिपिक के पद पर पदोन्नति दी जा सके और श्रीमती चावला को 11 जून, 1993 को बैंक की मुख्य शाखा, अजमेर में प्रधान लिपिक के पद पर पदोन्नति दिये जाने से प्रार्थी अपने उचित अधिकार वंचित हो गया। प्रार्थी ने पदोन्नति के साथ पूर्व लाभ अनुतोष के रूप में चाहे हैं।

3. नियोजक द्वारा प्रस्तुत जवाब का तात्त्विक सार यह है कि रेफरेंस अपने आप में त्रुटिपूर्ण है और मुख्य बिन्दु पदोन्नति का न होकर सेवा नियम के अनुसार उच्च नियुक्ति का है। नियोजक ने स्वीकार किया है कि जांच अधिकारी ने प्रार्थी के विरुद्ध आरोपों को सही नहीं पाया, किन्तु इस मुद्दा का खण्डन किया है कि श्रीमती चावला को अनुचित पदोन्नति के लिए प्रार्थी को आरोप पत्र दिया गया। श्रीमती चावला को जब उच्च नियुक्ति दी गई तब प्रार्थी के विरुद्ध अनुशासनात्मक कार्यवाही लंबित थी और प्रार्थी ने अप्रैल 1994 से प्रधान लिपिक की ड्यूटी पर 5-8-94 तक आने के मध्य प्रधान लिपिक के पद पर कार्य नहीं किया अतः उस अवधि का भत्ता प्रार्थी प्राप्त करने का अधिकारी नहीं है।

4. प्रार्थी दिनेश चन्द्र भार्गव ने स्वयं को साक्ष्य में पेश किया है। नियोजक की ओर से गवाह एम. एम. मंगल को साक्ष्य में पेश किया गया है।

5. प्रार्थी ने यह तर्क दिया कि जब वह निराधान आरोप से मुक्त हो गया तब उसे पूर्व लाभ मिलने चाहिए इसके विपरीत नियोजक की ओर से यह तर्क प्रस्तुत किये गये कि कथित रूप से बनाई जाने वाली पदोन्नति वास्तव में पदोन्नति नहीं है केवल यह एक उच्च नियुक्ति है और प्रार्थी के विरुद्ध विभागीय जांच लंबित थी और उच्च पद उसके बाद सृजित हुआ और प्रार्थी को मई 1994 से प्रधान लिपिक के पद का लाभ दे दिया गया है।

6. सर्वप्रथम हम प्रार्थी को साक्ष्य का अवलोकन करेंगे। प्रार्थी ने अपने बयान में कहा है कि उसकी 27 वर्ष की सेवा है और जून 1993 में उससे कनिष्ठ श्रीमती जगदीश कुमारी चावला को प्रधान लिपिक बना दिया गया। प्रार्थी 6-8-94 से प्रधान लिपिक बना और उसे 1993 में आरोप पत्र इसलिए दिया गया था कि उसने खाता खोलने पर परिचय करने वाले को धन्यवाद का पत्र नहीं भेजा था और उस पांच में उसे दोषमुक्त किया गया। वरिष्ठता के आधार पर उसे 1993 ही प्रधान लिपिक बनाया जाना चाहिए था और आफिशिएरिंग ग्रेलाउन्स मिलना चाहिए था। इस गवाह ने कहा है कि प्रधान लिपिक उच्च नियुक्ति का पद है किन्तु नियोजक स्वयं इसे पदोन्नति का पद बताता है। इस गवाह ने यह स्वीकार किया कि जब श्रीमती चावला को पदोन्नत किया गया तब आरोप पत्र विचाराधीन था।

नियोजक की ओर साक्ष्य में पेश हुए गवाह श्री एम. एम. मंगल को मामले की निजी जानकारी नहीं है। उन्होंने स्वीकार किया है कि जिस लिपिक को प्रधान लिपिक के नये पद पर लगाया गया था वह प्रार्थी से कनिष्ठ थी और इसका कारण यह है कि उस समय प्रार्थी के विरुद्ध जांच चल रही थी और प्रदर्श एम—1, 2, 3 बैंक के नियमों सम्बन्धी प्रलेख हैं जिसके आधार पर कार्यवाही की गई थी।

पत्रावली के अवलोकन से यह प्रकट होता है कि प्रदर्श एम—3 वर्जन नीति सम्बन्धी प्रलेख है जिसके पृष्ठ संख्या—333 की मद संख्या 4 (क) में यह यह व्यवस्था दी गई है कि “यदि अनुशासनात्मक कार्यवाही पश्चात् किसी कर्मचारी को पूर्णतय दोषमुक्त घोषित किया जाता है और लिखित परीक्षा/साक्षात्कार में सफल हो जाता है, तो इसे पूर्व व्यापी प्रभाव से अन्य कर्मचारियों के साथ पदोन्नत किया जायेगा।”

8. नियोजक ने एक टिप्पणी भी पेश की है जो कि दिनांक 14-5-93 की है। इसकी दूसरी मद संख्या में यह बताया गया है कि सबसे वरिष्ठ कर्मचारी प्रार्थी है और उनके विरुद्ध अनुशासनात्मक कार्यवाही लंबित है अतः वो प्रधान लिपिक के लिए पात्र नहीं है और उनके पश्चात् वरिष्ठता सूची में श्रीमती पुष्पा राव का नाम है किन्तु वह पात्र नहीं है और उसके पश्चात् अन्य के नाम प्रस्तावित किये गये हैं।

9. प्रदर्श डब्ल्यू—2 प्रार्थी के विरुद्ध आरोप पत्र है और प्रदर्श डब्ल्यू—3 आरोप के सन्दर्भ में इस आशय का पत्र है कि जांच अधिकारी के निष्कर्षों को बुद्धिगत रखते हुए नियोजक ने प्रार्थी के विरुद्ध आगे कोई कार्यवाही नहीं करने का तय किया है। प्रदर्श ए1—3 की मद संख्या—4 (क) के अनुसार जब प्रार्थी को दोषमुक्त कर दिया गया और इस पत्र के लिए कोई लिखित परीक्षा या साक्षात्कार की आवश्यकता होना नहीं बताया गया है ऐसी सूरत में उक्त नियम के प्रकाश में प्रार्थी को अन्य उच्च संवर्ग में नियुक्त कर्मचारियों के साथ पदोन्नति किया जाना या माना जाना न्यायोचित है।

अतः प्रेषित विवाद का अधिनिर्णय इस प्रकार किया जाता है :

“सहायक महाप्रबन्धक, भारतीय स्टेट बैंक, जयपुर के द्वारा प्रार्थी श्री दिनेश चन्द्र भार्गव को जून, 1993 से प्रधान लिपिक के पद पर पदोन्नत नहीं किया जाना उचित एवं वैध नहीं है और ऐसी सूरत में प्रार्थी जिस तारीख से उससे कनिष्ठ को प्रधान लिपिक के पद पर लगाया गया तब से प्रधान लिपिक के पद पर माना जायेगा और उससे कनिष्ठ कर्मचारी के साथ पदोन्नति मान जाकर पूर्व व्यापी प्रभाव से लाभ दिये जायेंगे।

दिनांक 29-8-96

हरि सिंह यू. अस्तानी, न्यायाधीश

श्रम न्यायालय एवं औद्योगिक न्यायाधिकरण,
अजमेर

अर्बाई आज दिनांक 29-8-1996 को लिखाया और विवृत न्यायालय में सुनाया गया। अर्बाई की प्रति केन्द्र सरकार को प्रकाशनार्थ प्रेषित हो।

हरि सिंह यू. अस्तानी, न्यायाधीश

नई दिल्ली, 3 सितम्बर, 1996

का० आ० 2812.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस०सी० सी० एल० के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-96 को प्राप्त हुआ था।

[संख्या-एल-22012/15/94-आई०आर० (सी०-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 3rd September, 1996

S.O. 2812.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.S.C. Ltd., and their workmen, which was received by the Central Government on the 28th August, 1996.

[No. L-22012/15/94-IR(C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A.,LL.B., Industrial Tribunal-I.

Hyderabad, the 2nd day of August, 1996

Industrial Dispute No. 53 of 1994

BETWEEN

Shri I. Komuraiah, Ex. Badli,
C/o Shri V. Ravinder,
Qtr. No. 57, Raman Colony,
P.O. Kalyankhani,
District Adilabad-509 231.

...Petitioner.

AND

The General Manager,
Singareni Collieries Company Limited,
Srirampur, Distt. Adilabad-504 001.

...Respondent.

APPEARANCES :

Sri Y. Rama Rao, Advocate—for the Petitioner.

M/s. K. Srinivasa Murthy & G. Sudha, Advocates—for the Respondent.

AWARD

This is a reference made by the Government of India, Ministry of Labour, New Delhi by its Order No. L-22012 (15)/94-IR(C-II), dated 11th May, 1994 under Section 10(1)(d) and 2A of Industrial Disputes Act, 1947 for adjudication of Industrial Dispute mentioned in its schedule which reads as follows:

"Whether the action of the management in terminating the services of Shri I. Komuraiah, Ex. Badli Filler without offering an opportunity against the principle of natural justice and in violation of provisions of Section 13(a)(2) is legal and justified?

If not to what relief the workman is entitled?"
The said reference is registered as I.D. No. 53/94 on the file of this Tribunal.

2. After receipt of the notice issued by this Tribunal to both the parties, they did not appear and no representation was made on the first appearance i.e. on 12th December, 1994. On 28th December, 1994 both parties have filed the Vakalats and the matter was posted from time to time for filing claims statement and counter. On 15th February, 1995 the petitioner filed the claims statement, and on 19th April, 1995 the counter has been filed by the Respondent. The matter was posted from time to time for enquiry.

3. On 7th October, 1995 W.W.1 was examined in chief and Ex. W1 marked on behalf of the Petitioner. But the Respondent requested for time to cross-examine W.W.1. The case was adjourned to 26th October, 1995 directing the respondent to pay costs of Rs. 200 to the petitioner to meet the expenses of W.W.1. On 26th October, 1995 costs were paid by the Respondent as directed. Subsequently the respondent request for grant of time to cross-examine W.W.1 and the matter was posted from time to time for it. Afterwards the W.W.1 was called absent from 20th February, 1996 till today i.e. 2nd August, 1996.

4. On a perusal of docket sheet, it is found that both parties are not evincing any interest to prosecute the matter. Hence there is no option except to close the said matter. Hence the I.D. is closed.

Typed to my dictation, given under my hand and the seal of this Tribunal this the 2nd day of August, 1996.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

Witness Examined for Petitioner :

W.W1—I. Komuraiah.

Witness Examined for Respondent :

NIL.

Documents marked for the Petitioner :

Ex. W1—Office Order Ref. No. P/SRP(P)/31/90/1339, dated 14th April, 1990 emancipating the petitioner as Badli Filler (Piece-rated).

नई दिल्ली, 3 सितम्बर, 1996

का० आ० 2813.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस० सी० सी० एल० के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-96 को प्राप्त हुआ था।

[संख्या-एल-22012/19/94-आई०आर० (सी०-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 3rd September, 1996

S.O. 2813.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.C.C. Ltd., and their workmen, which was received by the Central Government on the 28th August, 1996.

[No. L-22012/19/94-IR(C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A.,LL.B., Industrial Tribunal-I.
Dated : 2nd day of August, 1996
Industrial Dispute No. 57 of 1994

BETWEEN

नई दिल्ली, 3 सितम्बर, 1996

Sri P. Saraiyah, Ex. Badli,
C/o Shri V. Ravinder,
Qtr. No. 57, Raman Colony,
P.O. Kalyankhani,
District Adilabad-504 231. ... Petitioner.

AND

The General Manager,
Singareni Collieries Company Limited,
Srirampur, Dist. Adilabad-504 001. ... Respondent.

APPEARANCES :—

Sri Y. Rama Rao, Advocate—for the Petitioner.

M/s. K. Srinivasa Murthy & G. Sudha, Advocates—for the Respondent.

AWARD

This is a reference made by the Government of India, Ministry of Labour, New Delhi by its Order Nos. L-22012 (19)/94-IR(C-II), dated 11th May, 1994 and Corrigendum dated 26th August, 1994 under Section 10(1)(d) and 2A of Industrial Disputes Act, 1947 for adjudication of Industrial Dispute mentioned in its schedule which reads as follows :

"Whether the action of the management of Singareni Collieries Co. Ltd., Srirampur in terminating the services of Sri P. Saraiyah w.e.f. 19th September, 1992 is legal and justified? If not, to what relief the workman is entitled to?"

The said reference is registered as I.D. No. 57/94 on the file of this Tribunal

2. After receipt of the notice issued by this Tribunal to both the parties, they did not appear and no representation was made on the first appearance i.e. on 12th December, 1994. On 28th December, 1994 both parties have filed the Vakalats and the matter was posted from time to time for filing claims statement and counter on 15th February, 1995 the petitioner filed the Claims Statement and on 19th April, 1995 the counter has been filed by the Respondent. The matter was posted from time to time for enquiry.

3. On 7th October, 1995 W.W.1 was examined in chief and Ex. W1 marked on behalf of the Petitioner. But the Respondent requested for time to cross-examine W.W.1. The case was adjourned to 26th October, 1995 directing the respondent to pay costs of Rs. 200 to the petitioner to meet the expenses of W.W.1. On 26th October, 1995 costs were paid by the Respondent as directed. Subsequently the respondent requested for grant of time to cross-examine W.W.1 and the matter was posted from time to time for it. Afterwards the W.W.1 was called absent from 20th February, 1996 till today i.e. 2nd August, 1996.

4. On a perusal of docket sheet, it is found that both parties are not evincing any interest to prosecute the matter. Hence there is no option except to close the said matter. Hence the I.D. is closed.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 2nd day of August, 1996

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

Witness Examined for Petitioner :

W.W.1—P. Saraiyah,

Witnesses Examined for Respondent :

Nil.

Documents marked for the Petitioner :

Ex. W1—Office Order Ref. No. P. SRP(P)/31/90/1339, dated 14th April, 1990 emanating the petitioner as Badli Filler (Piece-rated).

का० आ० 2814—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस०सी०सी०एल० के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-96 को प्राप्त हुआ था।

[संख्या एल-22012/20/94-आई० आर० (सी० II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 3rd September, 1996

S.O. 2814.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.S.C. Ltd., and their workmen, which was received by the Central Government on the 28th August, 1996.

[No. L-22012/20/94-IR(C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I.

Dated : 2nd day of August, 1996

Industrial Dispute No. 58 of 1994

BETWEEN

Sri J. Devendra Rao, Ex. Badli Filler,
C/o Shri V. Ravinder,
Qtr. No. 57, Raman Colony,
P.O. Kalyankhani,
District Adilabad-504 231. ... Petitioner.

AND

The General Manager,
Singareni Collieries Company Limited,
Srirampur, Dist. Adilabad-504 001. ... Respondent.

APPEARANCES :

Sri Y. Rama Rao, Advocate—for the Petitioner.

M/s. K. Srinivasa Murthy & G. Sudha, Advocates—for Respondent.

AWARD

This is a reference made by the Government of India, Ministry of Labour, New Delhi by its Order No. L-22012/20/94-IR(C-II), dated 11th May, 1994 and Corrigendum dated 26th August, 1994 under Section 10(1)(d) and 2A of Industrial Disputes Act, 1947 for adjudication of Industrial Dispute mentioned in its schedule which reads as follows :

"Whether the action of the management of Singareni Collieries Co. Ltd., Srirampur, in terminating the services of Shri J. Devendar Rao w.e.f. 19th September, 1992 is legal and justified? If not, to what relief the workman is entitled to?"

The said reference has been registered as I.D. No. 58/94 on the file of this Tribunal.

2. After receipt of the notice issued by this Tribunal to both the parties, they did not appear and no representation was made on the first appearance i.e. on 12th December, 1994. On 28th December, 1994 both parties have filed the Vakalats and the matter was posted from time to time for filing claims statement and counter. On 15th February, 1995 the petitioner filed the Claims Statement and on 19th April, 1995 the counter has been filed by the Respondent. The matter was posted from time to time for enquiry.

3. On 7th October, 1995 W.W.1 was examined in chief and Ex. W1 to W3 marked on behalf of the petitioner. But the Respondent requested for time to cross-examine W.W.1. The case was adjourned to 26th October, 1995 directing the respondent to pay costs of Rs. 200 to the petitioner to meet the expenses of W.W.1. On 26th October, 1995 costs were paid by the Respondent as directed. Subsequently the Respondent requested for grant of time to cross-examine W.W.1 and the matter was posted from time to time for it. Afterwards the W.W.1 was called absent from 20th February, 1996 till today i.e. 2nd August, 1996.

4. On a perusal of docket sheet, it is found that both parties are not evincing any interest to prosecute the matter. Hence there is no option except to close the said matter. Hence the I.D. is closed.

Typed to my dictation, given under my hand and the seal of this Tribunal this the 2nd day of August, 1996.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

Witness Examined for Petitioner :

W.W.1—J. Devender Rao.

Witnesses Examined for Respondent :

NIL.

Documents marked for the Petitioner :

Ex. W1—Xerox copy of Office Order Ref. No. P/SRP(P)/31/90/1339, dated 14th April, 1990 empanelling the petitioner as Badli Filler (Piece-rated).

Ex. W2—Identity Card of J. Devender Rao.

Ex. W3—Attendance Book of J. Devender Rao.

नई दिल्ली, 3 सितम्बर, 1996

का० श्र० 2815.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस० सी० सी० एल० के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 28-8-96 को प्राप्त हुआ था।

[संख्या एल-22012/21/94-आई०आर० (सी-II)]

राजा लाल डेस्क अधिकारी

New Delhi, the 3rd September, 1996

S.O. 2815.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.S.C. Ltd., and their workmen, which was received by the Central Government on the 28th August, 1996.

[No. L-22012/21/94-JR(C.II)]

RAJA LAL, Desk Officer

2287 GI/96—7

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I.
Dated : 2nd day of August, 1996

Industrial Dispute No. 59 of 1994

BETWEEN

Shri Bhupalli Ganapathi, Ex. Badli Filler,
C/o Shri V. Ravinder,
Qtr. No. 57, Raman Colony,
P.O. Kalyanikhan,
District Adilabad-504 231.

...Petitioner.

AND

The General Manager,
Singareni Collieries Company Limited,
Srirampur, Dist. Adilabad-504 001.

...Respondent.

APPEARANCES :

Sri Y. Rama Rao, Advocate—for the Petitioner.

M/s. K. Srinivasa Murthy & G. Sudha, Advocates—for Respondent.

AWARD

This is a reference made by the Government of India, Ministry of Labour, New Delhi by its Order No. L-22012 (21)/94-JR(C-II), dated 11th May, 1994 and Corrigendum dated 26th August, 1994 under Section 10(1)(d) and 2A of Industrial Disputes Act, 1947 for adjudication of Industrial Dispute mentioned in its Schedule which reads as follows :

“Whether the action of the management of Singareni Collieries Co. Ltd., Srirampur in terminating the services of Shri Bhupalli Ganapathi w.e.f. 19th September, 1992 is legal and justified? If not, to what relief the workman is entitled to?”

The said reference has been registered as I.D. No. 59/94 on the file of this Tribunal.

2. After receipt of the notice issued by this Tribunal to both the parties, they did not appear and no representation was made on the first appearance i.e. on 12th December, 1994. On 28th December, 1994 both parties have filed the Vakalats and the matter was posted from time to time for filing claims statement and counter. On 15th February, 1995 the petitioner filed the claims statement and on 19th April, 1995 the counter has been filed by the Respondent. The matter was posted from time to time for enquiry.

3. On 7th October, 1995 W.W.1 was examined in chief and Ex. W1 marked on behalf of the Petitioner. But the Respondent requested for time to cross-examine W.W.1. The case was adjourned to 26th October, 1995 directing the respondent to pay costs of Rs. 200 to the petitioner to meet the expenses of W.W.1. On 26th October, 1995 costs were paid by the Respondent as directed. Subsequently the respondent requested for grant of time to cross-examine W.W.1 and the matter was posted from time to time for it. Afterwards the W.W.1 was called absent from 20th February, 1996 till today i.e. 2nd August, 1996.

4. On a perusal of docket sheet, it is found that both parties are not evincing any interest to prosecute the matter. Hence there is no option except to close the said matter. Hence the I.D. is closed.

Typed to my dictation, given under my hand and the seal of this Tribunal this the 2nd day of August, 1996.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

Witness Examined for the Petitioner:

W.W.1—Bhupalli Ganapathi.

Witness examined for the Respondent:

NIL.

Documents marked for the Petitioner:

Ex. W1—Office Order Ref. No. P/SRP(P)/31/90/1339, dated 14th April, 1990 empanelling the petitioner as Badli Filler (Piece-rated).

नई दिल्ली, 3 सितम्बर, 1996

का० आ० 2816.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस० सी० सी० एल० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-96 को प्राप्त हुआ था।

[संख्या एल-22012/22/94 आई० आर० (सी-II)]

राजा लाल, डैस्क अधिकारी

New Delhi, the 3rd September, 1996

S.O. 2816.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.C.C. Ltd., and their workmen, which was received by the Central Government on the 28th August, 1996.

[No. L-22012/22/94-IR(C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT
HYDERABAD

PRESENT:

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I.

Dated: 2nd day of August, 1996

Industrial Dispute No. 60 of 1994

BETWEEN

Shri Ch. Rajaiah, Ex. Badli,

C/o Shri V. Ravinder,

Qtr. No. 57, Raman Colony,

P.O. Kalyanikhan,

District Adilabad-504 231.

... Petitioner.

AND

The General Manager,
Singareni Collieries Company Limited,
Srirampur, Dist. Adilabad-504 001.

... Respondent.

APPEARANCES:

Sri Y. Rama Rao, Advocate—for the Petitioner.

M/s. K. Srinivasa Murthy & G. Sudha, Advocates—for Respondent.

AWARD

This is a reference made by the Government of India, Ministry of Labour, New Delhi by its Order No. L-22012 (22)/94-IR(C-II), dated 11th May, 1994 and Corrigendum dated 26th August, 1994 under Section 10(1)(d) and 2A of Industrial Disputes Act, 1947 for adjudication of Industrial Dispute mentioned in its schedule which reads as follows:

"Whether the action of the management of Singareni Collieries Co. Ltd., Srirampur in terminating the services of Shri Ch. Rajaiah w.e.f. 19th September, 1992 is legal and justified? If not, to what relief the workman is entitled to?"

The said reference has been registered as I.D. No. 60/94 on the file of this Tribunal.

2. After receipt of the notice issued by this Tribunal to both the parties, they did not appear and no representation was made on the first appearance i.e. on 12th December, 1994. On 28th December, 1994 both parties have filed the Vakalats and the matter was posted from time to time for filing claims statement and counter. On 15th February, 1995 the petitioner filed the claims statement and on 19th April, 1995 the counter has been filed by the Respondent. The matter was posted from time to time for enquiry.

3. On 7th October, 1995 W.W.1 was examined in chief and Ex. W1 marked on behalf of the Petitioner. But the Respondent requested for time to cross-examine W.W.1. The case was adjourned to 26th October, 1995 directing the respondent to pay costs of Rs. 200 to the petitioner to meet the expenses of W.W.1. On 26th October, 1995 costs were paid by the Respondent as directed. Subsequently the respondent requested for grant of time to cross examine W.W.1 and the matter was posted from time to time for it. Afterwards the W.W.1 was called absent from 20th February, 1996 till today i.e. 2nd August, 1996.

4. On a perusal of docket sheet, it is found that both parties are not evincing any interest to prosecute the matter. Hence there is no option except to close the said matter. Hence the I.D. is closed.

Typed to my dictation, given under my hand and the seal of this Tribunal this the 2nd day of August, 1996.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

Witness Examined for Petitioner:

W.W.1—Ch. Rajaiah.

Witness examined for Respondent:

NIL.

Documents marked for the Petitioner:

Ex. W1—Office Order Ref. No. P/SRP(P)/31/90/1339 dated 14th April, 1990 empanelling the petitioner as Badli Filler (Piece-rated).

नई दिल्ली, 3 सितम्बर, 1996

का० आ० 2817.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस० सी० सी० एल० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-96 को प्राप्त हुआ था।

[संख्या एल-22012/23/94-आई० आर० (सी-II)]

राजा लाल, डैस्क अधिकारी

New Delhi, the 3rd September, 1996

S.O. 2817.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.C.C. Ltd., and their workman, which was received by the Central Government on 28-8-96.

[No. L-22012/23/94-IR(C-II)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT
HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I.

Dated, 2nd day of August, 1996

Industrial Dispute No. 61 of 1994

BETWEEN :

Shri A. Sa haiah, Ex. Badli,
C/o Shri V. Ravinder,
Qtr. No. 57, Raman Colony,
P. O. Kalyanikhani,
District Adilabad.

.. Petitioner.

AND

The General Manager,
Singareni Collieries Company,
Limited, RG-I, Godavarikhani,
District Karimnagar.

.. Respondent.

APPEARANCES :

Sri Y. Rama Rao, Advocate—for the Petitioner.

M/s. K. Srinivasa Murty & G. Sudha, Advocate—for
Respondent.

AWARD

This is a reference made by the Government of India, Ministry of Labour, New Delhi by its Order No. L-22012/23/94-IR(C-II), dt. 11-5-94 and Corrigendum dt. 26-8-1994 under Sections 10(1)(d) and 2A of Industrial Disputes Act, 1947 for adjudication of Industrial Dispute mentioned in its Schedule which reads as follows :—

“Whether the action of the management of Singareni Collieries Co. Ltd., Srirampur, in terminating the services of Shri A. Sathiah w.e.f. 19-9-92 is legal and justified? If not, to what relief the workman is entitled to?”

The said reference has been registered as I.D. No. 61/94 on the file of this Tribunal.

2. After receipt of the notice issued by this Tribunal to both parties, they did not appear and no representation was made on the first appearance i.e. on 12-12-1994. On 28-12-1994 both parties have filed the Vakalats and the matter was posted from time to time for filing claims statement and counter. On 15-2-1995 the petitioner filed the claims statement and on 19-4-1995 the counter has been filed by the Respondent. The matter was posted from time to time for enquiry.

3. On 7-10-1995 W.W1 was examined in chief and Ex. W1 and W2 marked on behalf of the Petitioner. But the Respondent requested for time to cross-examine W.W1. The case was adjourned to 26-10-1995 directing the respondent to pay costs of Rs. 200 to the petitioner to meet the expenses of W.W1. On 26-10-1995 costs were paid by the Respondent as directed. Subsequently the respondent requested for grant of time to cross-examine

W.W1 and the matter was posted from time to time for it. Afterwards the W.W1 was called absent from 20-2-1996 till today i.e. 2-8-1996.

4. On a perusal of Docket Sheet, it is found that both parties are not evincing any interest to prosecute the matter. Hence there is no option except to close the said matter. Hence the I.D. is closed.

Typed to my dictation, given under my hand and the seal of this Tribunal this the 2nd day of August, 1996.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

Witness Examined for Petitioner :

Witness Examined for Respondent :

W.W1 A. Sathiah.
NIL

Documents marked for Petitioner

Ex. W1 Office Order Ref. No. P/SRP(P)/31/90/1336
dt. 14-4-90 empanelling the petitioner as Badli
Filler (Piece rated).

Ex. W2 Office Order No. P.RG.I/7A/3006, dt. 12-8-90
directing the petitioner to report to concerned SCM.

नई दिल्ली, 3 सितम्बर, 1996

का० आ० 2818.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस०सी० सो० एल० के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में, औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-96 को प्राप्त हुआ था।

[संख्या एल-22012/24/94-आई०आर० (सी०-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 3rd September, 1996

S.O. 2818.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workman, which was received by the Central Government on 28-8-96.

[No. L-22012/24/94-IR(C-II)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT
HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I.

Dated, 2nd day of August, 1996

Industrial Dispute No. 62 of 1994

BETWEEN :

Shri G. Raja Komuraiah, Ex.-Badli,
C/o Shri V. Ravinder, Qtr. No. 57,
Raman Colony, P.O. Kalyanikhani,
Dist. Adilabad-504 231

.. Petitioner.

AND

The General Manager, Singareni,
Collieries Company Limited,
RG-IV, Godavarikhani,
Dist. Karimnagar-505 001.

.. Respondent.

APPEARANCES :—

Sri Y. Rama Rao, Advocate—for the Petitioner.

M/s. K. Srinivasa Murty and G. Sudha, Advocate—for Respondent.

AWARD

This is a reference made by the Government of India, Ministry of Labour, New Delhi by its Order No. L-22012 (24)94-IR(C-II), dt. 24-5-1994 and Corrigendum dt. 26-8-1994 under Section 10(1)(d) & 2A of Industrial Disputes Act, 1947 for adjudication of Industrial Dispute mentioned in its schedule which reads as follows :

"Whether the action of the management of Singareni Collieries Co. Ltd., Srirampur in terminating the services of Shri G. Raja Komuraiah w.e.f. 19-9-92 is legal and justified ? If not, to what relief the workman is entitled to ?"

The said reference has been registered as I.D. No. 62/94 on the file of this Tribunal.

2. After receipt of the notice issued by this Tribunal to both the parties, they did not appear and no representation was made on the first appearance i.e. on 12-12-1994. On 26-12-94 both parties have filed the Vakalats and the matter was posted from time to time for filing claims statement and counter on 15-2-1995 the petitioner filed the claims statement and on 19-4-1995 the counter has been filed by the Respondent. The matter was posted from time to time for enquiry.

3. On 7-10-1995 W.W1 was examined in chief and Ex. W1 marked on behalf of the Petitioner. But the Respondent requested for time to cross-examine W.W1. The case was adjourned to 26-10-95 directing the respondent to pay costs of Rs. 200 to the petitioner to meet the expenses of W.W1. On 26-10-1995 costs were paid by the Respondent requested for grant of time to cross examine W.W1 and the matter was posted from time to time for it. Afterwards the W.W1 was called absent from 20th February, 1996 till today i.e. 2nd August, 1996.

4. On a perusal of docket sheet, it is found that both parties are not evincing any interest to prosecute the matter. Hence there is no option except to close the said matter. Hence the I.D. is closed.

Typed to my dictation, given under my hand and the seal of this Tribunal this the 2nd day of August, 1996.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

Witnesses Examined for Petitioner :

Witnesses Examined for Respondent :

W.W1 G. Raja Komuraiah NIL

Documents marked for Petitioner :

Ex. W1. Office Order Ref. No. P/SRP(P)/31/90/1336 dated 14-4-90 empanelling the petitioner as Badli Filler (Piece rated).

नई दिल्ली, 10 सितम्बर, 1996

का० आ० 2819—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ० सी० आई० के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, प्रबंधन में निविष्ट औद्योगिक

विवाद में, औद्योगिक अधिकरण, तमिलनाडु के पंचपट को प्रकाशित है, जो केन्द्रीय सरकार को 6-9-96 को प्राप्त हुआ था।

[संख्या एल-22012/454/एफ/90 आई०आर० (सी० 2)]

राजा लाल, बैस्क अधिकारी

New Delhi, the 10th September, 1996

S.O. 2819.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Tamil Nadu as shown in the Annexure in the industrial dispute between the employers in relation to the management of F.C.I. and their workmen, which was received by the Central Government on 6-9-96.

[No. L-22012/454/F/90-IR(C-II)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL
NADU MADRAS

Monday, the 5th day of August, 1996

PRESENT :

Thiru S. Thangaraj, B.Sc., L.L.B., Industrial Tribunal.
Industrial Dispute No. 31 of 1991

(In the matter of the dispute for adjudication under Sec. 10(1)(d) of the Industrial Disputes Act, 1947 between the Workman and the management of Food Corporation of India, Madras).

BETWEEN :

The Workman represented by,
The Dist. Secretary,
Food Corporation of India Employees Union,
Dist. Committee,
Coimbatore-641 012.

AND

The Zonal Manager,
Food Corporation of India,
2, Haddows Road, Madras-600 006.

REFERENCE :

Order No. L-22012(454)/F/90-IR(C-II), dated 25-4-91,
Ministry of Labour, Govt. of India, New Delhi.

This dispute coming on this day for final disposal in the presence of Thiru K. M. Ramesh, Advocate appearing for the workmen and of Thiru T. V. B. Karthikeyan, Advocate for Management upon perusing the reference, claim and counter statements and other connected papers on record, and the Counsel for the workmen having made an endorsement for reporting no instructions and recording the same, this Tribunal passed the following :

AWARD

This reference has been made for adjudication of the following issue :

"Whether the management of Food Corporation of India, is justified in denying the fixation of seniority to Shri R. Krishnaswamy, Picker and also not paying the attendant benefits ? If not, to what relief the concerned workman is entitled to ?"

Parties were served with summons.

Petitioner called absent at 10.50 a.m. Again called at 12.55 p.m. Counsel for petitioner endorsed no representation.

tion. Petitioner called again. Petitioner absent, Industrial dispute dismissed for default.

Dated, this the 5th day of August, 1996

S. THANGARAJ, Industrial Tribunal

COPY OF ENDORSEMENT MADE BY COUNSEL FOR PETITIONER

I am reporting no instructions for the petitioner.

Sd/-

K. M. Ramesh, 5-8-96.

Counsel for Petitioner

नई दिल्ली, 10 सितम्बर, 1996

का० आ० 2620—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ० सी० आई० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-9-96 को प्राप्त हुआ था।

[संख्या एल०-42011/12/81-एफ० सी०आई० डी-5(ए)]

New Delhi, the 10th September, 1996

S.O. 2820.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the industrial dispute between the employers in relation to the management of F.C.I. and their workmen, which was received by the Central Government on 6-9-96.

[No. L-42011/12/91-F.C.I./DIV(A)]
RAJA LAL, Desk Officer.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 42 of 1981

PARTIES:

Employers in relation to the management of Food Corporation of India, Guahati.

AND

Their workmen.

PRESENT:

Mr. Justice K. C. Jagadeb Roy, Presiding Officer.

APPEARANCES:

On behalf of Management—Mr. Amar Roy, Advocate.

On behalf of Workmen—Mr. P. S. Sengupta, Advocate with Mrs. T. Dasgupta, Advocate and Mr. M. Sinha, Advocate.

STATE: Assam.

INDUSTRY: Food Corpn.

AWARD

By Order No. L-42011/12/81-F.C.I. DIV(A) dated 26th October, 1981 the Central Government in exercise of its powers under section 10(1)(d) of the Industrial Disputes Act 1947 referred the following dispute to this Tribunal for adjudication:

"Whether the termination of services of Sarvashri Md. Hanif, Md. Halim, Md. Mustafa, Ramnath Mahato,

Laxman Sha, Ramkisson Yadav, Md. Sarif, Md. Nuralam, Bindu Rai, Dwarika Gupta, Sk. Khaguddin and Sagir Ahmed engaged by the Senior Regional Manager, Food Corporation of India, Gauhati (Assam) through the Handling Contractor, M/s. N.B.M. Enterprises, FCI Contractors, Gossaigaon Depot is justified? If not, to what relief are the concerned workmen entitled?"

2. The workmen are represented by Food Corporation of India Workers' Union, hereinafter referred to as "Union" who filed the written statement on behalf of the workmen, verified by the Joint Secretary of the said Union. It was the case of the workmen as presented by the Union that the concerned 12 Handling Mazdoors were working at F.S.D. Gossaigaon Depot of the Food Corporation of India and were members of the FCI Workers' Union, a registered trade union which had been recognised by the Corporation as the representative organisation of the Handling Mazdoors. The Food Corporation of India, to be referred to hereafter as the "Corporation" employed at the aforesaid Gossaigaon Depot 62 Handling Mazdoors who worked in gangs of 14 composed of one Surdar and one Mondal and 12 loaders, besides ancillary workers who are also employed by the Corporation to do the work of sweeping, cleaning and stitching of the bags at the said Depot. It is alleged that these 12 workmen referred to in the schedule alongwith 50 others had been working at the Gossaigaon Depot of the Corporation in Assam since 1963. These 12 workmen being Handling Mazdoors were essential in running the business of the Corporation at the said Depot and were integral part of the Corporation's establishment. It is the case of the workmen that they were paid their wages and their work was supervised by the Corporation and were under direct control of the management of F.C.I. According to the workmen they are the permanent and regular staff of the Corporation and the M/s. N.B.M. Enterprises is merely a front created as a middleman by the Corporation to avoid the lawful claims of these workmen by showing the workmen to be employees of the aforesaid M/s. N.B.M. Enterprises. They reiterated and substantiated this allegation by stating further in the written statement that they have been continuously working under the F.C.I. since their joining in F.C.I. as Handling Mazdoors in the year 1968, even though from time to time different contractors were shown to be contractors engaging these workmen in turning out the job of F.C.I. The other allegations made in the written statement are specifically detailed at this stage but the main contention of the workmen is that they were direct employees of the Food Corporation of India and had been working as such since 1968 till the termination of their services on 1-3-1980 by a verbal order of M/s. N.B.M. Enterprises, the alleged contractor of F.C.I. at Gossaigaon Depot. It was the specific case of the workmen in paragraph 8(i) of their written statement that the Food Corporation's men and officers exercise supervision and control over the Handling Mazdoors including these 12 concerned workmen.

3. In the written statement filed by the management, it has been stated that the persons whose names have been mentioned in the order of reference were not employees of the Corporation and at no point of time there was any relationship of employer and employee between the workmen and the Corporation. As far as the Corporation is concerned, these employees were merely strangers. The workmen not being members of the F.C.I. Workers' Union, the Union had no locus standi to raise any industrial dispute on behalf of the workmen. According to the written statement of the management, the Corporation did not exercise any control and supervision over the said workmen who are employees of M/s. N.B.M. Enterprises, an independent contractors who had appointed these workman to the job of F.C.I. to do the job entrusted to them under the contract. The Contract Labour (Regulation and Abolition) Act 1970 was a positive job entrusted to them under the contract. The Contract According to the written statement these workmen were supervised and controlled by M/s. N.B.M. Enterprises and were being paid by them. M/s. N.B.M. Enterprises was merely employed by the Corporation for handling work. According to the written statement, the Corporation was merely a principal employer as envisaged in the Contract Labour (Regulation & Abolition) Act.

4. The moot point virtually would decide the issue between the parties is whether these 12 persons mentioned in the order of reference were contractor's employees and

were supplied to the Corporation by M/s. N.B.M. Enterprises to carry out the duties for handling foodgrains or were the employees of the Food Corporation of India. If it be found that the workmen were contractor's employees and were merely sent to the Corporation's Depot to handle foodgrains what the contractor obliged to do under the contract with the F.C.I. this reference would be incompetent and the contention of the F.C.I. be upheld. On the other hand if it is to be found that they were actually the employees of Food Corporation of India and the setting up of the contractors from time to time including the present contractor M/s. N.B.M. Enterprises, was only a means of evading lawful rights of the workmen under the Industrial Disputes Act, not only the reference should be treated to be maintainable, the workmen otherwise be entitled to the relief that the law enjoins upon them.

5. To begin with, Mr. Roy, learned counsel appearing for the Corporation had emphasised on the legal proposition that the Tribunal should confine to the issue referred to it and cannot decide in this reference who was the actual employer of the workmen since there is no scope for such decision in view of the language in the reference which is already quoted above. Emphasis is made in his argument on the words "...engaged by the Senior Regional Manager, Food Corporation of India, Gauhati (Assam) through the Handling Contractor, M/s. N.B.M. Enterprises, F.C.I. contractors, Gossaigaon Depot.....". The contention of Mr. Roy was M/s F.C.I. had not employed them but engaged them through the contractor. According to him the word "engaged" cannot be equated with the word employed and the workmen should not be treated to have been employed by the F.C.I. In such view of this matter if these workmen are treated to be contractor's employees, the appropriate government would not have referred this dispute under section 10 of the Industrial Disputes Act, 1947.

Mr. Roy refers to four cases namely M/s. Vignoli Pvt. Ltd. v. their workmen reported in 1971 (2) LLJ 567, Sanghai Jebraj v. M.C.G. and K.M.W. Union reported in 1969(1) LLJ 719, Management of Burmah Shell Oil Storage & Distribution Co. v. Industrial Tribunal reported in 1975 Lab. I.C. 165 and D.C.M. v. State of Rajasthan reported in 1 CCIR 169.

6. Mr. Roy, learned counsel for the management relies on those four cases for the simple proposition that the Contract Labour (Regulation & Abolition) Act, 1970 being a special enactment would prevail over the Industrial Disputes Act, 1947 and on passing of this 1970 Act the Government had no authority to make a reference under section 10 of the Industrial Disputes Act 1947 in respect of the contract labour. There cannot be any different view taken on this proposition of law but the question remains if the 12 workmen, on the facts and circumstances of this case would be said to be the contract labourers. The other set of cases which Mr. Roy cited namely Indian General Navigation and Railways v. their workmen reported in 1966 (1) LLJ 735, F.C.I. v. Food Corporation Workers' Union reported in 1985 Lab. I.C. 876, K. K. Tijik v. Fertiliser & Chemicals reported in 1991 (63) FLR 656 and M/s. Cominco Binani Zinc Ltd reported in 1989 (58) FLR 528 were in support of the proposition that the contract labour does not become an employee of the principal employer. As a matter of preposition there are no two opinion about it but for adjudication of this reference it is for this Tribunal to consider if these 12 workmen are at all contract labourers. Mr. Roy however raised a point that in the conciliation report submitted by the A.L.C.(C) to the Secretary, Government of India, Ministry of Labour, mentioned therein that it is agreed by the Union that the workmen were employed by the handling contractor. This conciliation report has not been made part of the record during this adjudication process before this Tribunal, nor has been called for by the management. So, whether there was any admission by the Union in this respect is a matter which is necessary to be proved by the management itself. It was further argued by Mr. Roy that there was no materials brought out in the record by the Union to suggest that the F.C.I. had exercise supervision and control over the workmen while they were working with the F.C.I. and emphasised that the burden of proof lies always

on the employee to prove the relationship of employer and employee when they allege such relationship with the employer as their employees and relied on a case reported in 1976 Lab. I.C. 262 (Swapan Dasgupta v. Eight Industrial Tribunal). A reference was also made by Mr. Roy to the case of Dinanath and Others v. National Fertilisers reported in 1992 Lab. I.C. 75 to show that relationship existed between a contractor labour vis-a-vis the principal employer.

7. I heard Mr. Sengupta, learned counsel appearing for the workmen. His contention was that undoubtedly the 12 workmen were employees of F.C.I. and the language of the schedule of reference did not prohibit the Tribunal to decide that issue. He referred to the deposition made by the workmen to show that the workmen had discharged their burden of proof in stating that they were employees under the FCI which exercised supervision and control over them. According to him if the tests laid down by the Hon'ble Supreme Court in determining the employer-employee relationship are considered, no doubt will be left that these workmen are nobody other than the FCI's employees. The termination of whose services accordingly by the M/s. N.B.M. Enterprises, that too, without complying with the provisions of Section 25F of the Industrial Disputes Act, 1947 was untenable in law and be considered void and the concerned workmen should be deemed to be in continuous service and be entitled to their back wages, bonus and other service benefits as claimed in the written statement.

8. The contention of both the learned counsels need close scrutiny. The schedule of reference refers to these workmen as persons engaged by the Senior Regional Manager, Food Corporation of India, Gauhati through handling contractor. The meaning of the word "engaged" as per Black's Law Dictionary Sixth Edition means to employ and employ obviously has its meaning as "to engage in one's service", from which it follows that the words "engaged" and "employed" bear the same meaning. Accordingly these 12 persons who have been described to have been engaged by the Senior Regional Manager, Food Corpn. of India would mean that they had been employed by the F.C.I. The associated words "through the handling contractor" would only imply that these persons who were employed by the Food Corporation of India might have been brought to the F.C.I. through the handling contractor M/s. N.B.M. Enterprises. To add to this, it has been the evidence of the workmen as stated by WW-1 that F.C.I. only asked the contractor to supply labour and the F.C.I. employed them when they were produced by the contractor before the F.C.I. WW-1 is a labour sardar. According to him the gang of workmen considered of 14 workmen, one sardar, one moidal and 12 handling labourers and their jobs was to load the foodgrains in godowns after receiving from the railway and trucks and reload them when required on to the trucks and trains. There are done by the mazdoors and the F.C.I. staff supervised the work and the FCI staff also maintained the attendance register and the wage bills. This system was prevalent throughout both prior to and after 1970 till the date (the date of deposition is 28-4-1984). It is specifically stated that the contractor was not the employer of the handling mazdoors at the F.C.I. Depots and the F.C.I. asked the contractor only to supply the labours. F.C.I. appointed the contractors through documents which would show that their appointment was solely for supplying of labours. If those documents were produced it will support the witness's statement. The contractor did not supervise the work of these labours. In the cross-examination he has specifically stated that at the Gossaigaon Depot the supervision had never been exercised by the contractor.

WW-2 had stated in his chief that he was continuously working since 1968. N.B.M. Enterprises was appointed by the F.C.I. only in the year 1979. Prior to the appointment of N.B.M. Enterprises there were 62 workers already engaged by the F.C.I. and these 12 workmen were part of the said old batch. In the cross-examination he has stated that between 1968 and 1980 there were 7 contractors whose names are also mentioned in the deposition. His earlier statement that he was continuously working since 1968 till the date of deposition namely 27-9-1984 which would cover the tenures of those seven contractors. He

continued to work not withstanding the change of contractors. This workman himself is one of the 12 workmen. According to him all other 11 workmen also worked along with him. If they were by any stretch of imagination be said to be the employees of N.B.M. Enterprises, how could they have worked continuously for F.C.I. from 1968 when this contractor (N.B.M. Enterprises) was never there and continued all through the tenure of seven contractors who came in contract with the F.C.I. during 1969 and 1980. This statement has not been falsified in the cross-examination and leads support to the conclusion that these workmen were actually the employees of F.C.I. though an attempt has been made to show in papers that they have been engaged by the contractors. This witness has also stated that the contractor never exercised any supervision and control over their work and it is the F.C.I. who did the same.

9 The Hon'ble Supreme Court in *Hussainbhai v. Alath Factory Tezhibali Union*, reported in AIR 1978 S.C. 1410 in paragraph 5 and 6 of the said judgement held thus :

"5. The true test may, with brevity, be indicated once again. Where a worker or group of workers labours to produce goods or services and these goods or services are for the business of another, that other is, in fact, the employer. He has economic control over the workers' subsistence, skill and continued employment. If he, for any reason chokes off, the worker is, virtually laid off. The presence of intermediate contractors with whom alone the workers have immediate or direct relationship ex-contractors of no consequence when, on lifting the veil or looking at the conspectus of factors governing employment, we discern the naked truth, though draped in different perfect paper arrangement, that the real employer is the Management, not the immediate contractor. Myriad devices, half-hidden in fold after fold of legal form depending on the degree of concealment needed, the type of industry, the local conditions and the like, may be resorted to when labour legislation casts welfare obligations on the real employer, based on Arts. 38, 39, 42, 43 and 43-A of the Constitution. The court must be astute to avoid the mischief and achieve the purpose of the law and not be misled by the maya of legal appearance.

6. In the livelihood of the workmen substantially depends on labour rendered to produce goods and services for the benefit and satisfaction of an enterprises, the absence of direct relationship or the presence of dubious intermediaries of the make-believe trappings of detachment from the real-life bond. The story may vary but the inference defies ingenuity. The liability cannot be shaken off."

In very strict words the Hon'ble Supreme Court indicated that the Court must be astute to avoid the mischief and achieve the purpose of the law and not be misled by the maya of legal appearance, for which may be necessary to lift the veil or looking at the conspectus of factors governing employment, in order to see naked truth though drifted in different perfect paper arrangement, which may show the real employer is the management and not the intermediate contractor. As already indicated, the fact remains that these workmen have been engaged since 1968 which fact has not been disproved in the cross-examination of the workmen's witness or by positive evidence from the side of the management.

10. The evidence of WW-1 and WW-2 would show that the Depot Incharge of Gossaignon Depot, used to supervise the work record the attendance of these workers and was making payments of their wages. In examination in chief on 21-12-1988 WW-2 had stated that FCI had re-employed WW-2 besides Md. Halim, Khaliluddin, Dwarik Gupta in 1986. This answer is not challenged in cross-examination. No question was put to this witness that he was not re-employed. There could not be any re-employment without employment earlier. The continuance of the said em-

ployee with the F.C.I. even though different contractors had come and gone, control and supervision having been exercised by the F.C.I. after 1970 having been re-employed in the similar capacity, would show that these employees undoubtedly were the employees of the F.C.I. and recruitment of these employees through the contractor were merely a paper arrangement. To add to this, from the side of the management, the document of contract with these contractors have not been placed to show to the contrary that the contractors were engaged to do a particular job of F.C.I. namely loading and unloading by engaging their own employee. The management who relies on the contract and obviously in possession of the contract has not produced the same before the Tribunal. Withholding evidence which would throw light on the issue in controversy would allow the court to draw adverse inference against the party withholding, notwithstanding that the onus of proof does not lie on him. Party cannot rely on abstract doctrine of onus of proof or on the fact that he was not called upon to produce it. A reference be made to the judgement of the Hon'ble Supreme Court in the case reported in AIR 1968 SC 1413 (at paragraph 5) in this regard. I have therefore no doubt that these 12 workmen are undoubtedly were the employees of the F.C.I. and continued as such till their date of termination of service.

11. The next question arises as to what relief they are entitled to in view of the aforesaid finding by this Tribunal. In this regard the workmen have claimed that since their jobs have been terminated without complying with the mandatory provisions of Section 25F of the Industrial Disputes Act, 1947, they need be reinstated in service that they were holding at the time of termination with full back wages. In order to substantiate this allegation by the workmen, it is necessary to prove that the concerned workmen must have been in continuous service for not less than one year under the employer retrenching them. Section 25F of the Industrial Disputes Act, 1947 is quoted below :—

"25F. Condition precedent to retrenchment of workman—No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by the employer until—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;
- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay for every completed year of continuous service or any part thereof in excess of six months; and
- (c) notice in the prescribed manner is served on the appropriate Government or such authority as may be specified by the appropriate Government by notification in the Official Gazette."

The entitlement of the benefits available under Section 25F is dependant on the fact that the workmen had served the employer for a continuous period for not less than one year. What is continuous service for the purpose of this section is contained in section 25B of the Industrial Disputes Act, 1947, which reads as follows :

"25B. Definition of continuous service—for the purpose of this Chapter,—

- (1) a workman shall be said to be in continuous service for a period if he is, for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorized leave or an accident or a strike which is not illegal, or a lockout or a cessation of work which is not due to any fault on the part of the workman,
- (2) where a workman is not in continuous service within the meaning of clause (1) for a period

of one year or six months, he shall be deemed to be in continuous service under an employer—

(a) for a period of one year, if the workman, during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than—

(i) one hundred and ninety days in the case of a workman employed below ground in a mine; and

(ii) two hundred and forty days, in any other case;

(b) for a period of six months, if the workman during a period of six calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than—

(i) ninety-five days, in the case of a workman employed below ground in a mine; and

(ii) one hundred and twenty days, in any other case."

The workman shall be said to have been in continuous for the said period if he was for that period on an uninterrupted service including the service which might have been interrupted due to sickness or authorised leave or accident or strike which is not illegal or a lock-out or a cessation of work which is not due to any fault on the part of the workman. Under sub-section (2) of Section 25B the workman will otherwise be deemed to be in continuous service for a period of one year if he during the period of 12 calendar months preceding the date from which the calculation is to be made has actually worked under the employer not less than 240 days in an establishment overground.

12. All the workmen have not examined themselves in the case. Only one of them was examined as Workmen's Witness No. 2 namely Hanif Sardar, joined the service alongwith them in the year 1968 and had worked with them as Labour Sardar had stated in his chief that they used to work for about 20 days in a month so long they were in service. On their statement, therefore, the workmen do not make out a case of actual 240 days of work in the minimum within a period of 12 calendar months, calculating from the due date, so as to get the entitlement to the benefits under section 25F. Therefore, termination of their service without compliance of requirement of Clause (a) and (b) of Section 25F does not invalidate their termination and make them entitled to be reinstated with back wages.

13. An argument, however, had been advanced by Mr. Sengupta, learned counsel appearing for the workmen that it was not disputed that these workmen had been working in the establishment from the year 1968. Even if there is no positive evidence that they had worked for at least 240 days within preceeding 12 calendar months of the date of the termination, nevertheless if it would be found that they had actually worked for 240 days during any block of 12 months preceeding, they would still be entitled to the benefits of reinstatement with back wages, if the termination was done without complying with the requirements of Section 25F. I do not accept this contention since the language of clause (a) of sub-section (2) of Section 25B is abundantly clear that this period of 240 days must be during the period of 12 calendar months preceeding the date of termination. That apart, there is no evidence on the record to show if for any block of 12 months all of the workmen or any of them had worked for 240 days in the minimum. Accordingly, I hold that these workmen are not entitled to the benefits of Sec.

25F of the Industrial Disputes Act, 1947 in the facts and circumstances of this case to be reinstated with back wages on that score.

14. Coming to the next point that was urged by the workmen contained in paragraph 8(j) of their written statement that their termination had been in violation of Section 25G of the Industrial Disputes Act, 1947 in as much as "the last come first go" rule has not been complied with and no reason had been assigned by the management while the management had deviated from the application of that provision. It was specifically mentioned in paragraph 8(j) that when these workmen were returned to mark on 1-3-1980, without assigning any reason, without payment of retrenchment compensation and notice pay under section 25F of the I.D. Act and without observing the principle of last come first go when there was no charge sheet against any of them and no finding of guilt recorded, their jobs were terminated. The management in their written statement has not challenged this assertion of the workman that termination of their service was in violation of section 25G. In the absence of any such contradiction by the management, the only lawful conclusion that follows from this is that the fact was admitted and not challenged.

15. Compliance of Section 25G is mandatory as has been held by several decisions. I just refer to General Manager, Northern Railway v. Judge Central Government Industrial Tribunal & Another, reported in 1992(6) FLR 501. It is true that as per the provisions of Section 25G there could be departure from the rule when there are sufficient and valid reasons, for example in cases of inefficiency and lack of trustworthiness or otherwise the workmen was found to be inefficient or habitual irregular in discharged of his duties. But the management has not come forward with such a case and as held by the Hon'ble Supreme Court in Swadesh Amitrean Ltd., Madras v. workmen in case No. C.A. 483 of 1958 disposed on 1-3-1960 that if a person was retrenched illegally in violation of Section 25G, he is entitled to reinstatement and the fact that the employer has in the meanwhile engaged some other workmen would not defeat his claim for reinstatement. In Om Oil & Oils seeds Exchange Ltd. Delhi and Workmen in Civil Appeal No. 131 of 1966 the Hon'ble Supreme Court in its order dated 28-3-1966 had held that if the retrenchment is found to be illegal, the Tribunal would be justified in directing reinstatement and the order of remuneration for the period during which the workman was unemployed or a part thereof, may be appropriately made.

16. In the evidence led by the workmen through workmen's witness No. 2 who is also one of the workmen retrenched, it has been stated that these 12 workmen including him were oldest workmen of the 162 people working at that time. It was also his evidence that out of 162, these 12 workmen were retrenched and the remaining 150 were still working. This statement of one of the 12 workmen who had been examined by the union in support of the case of the workmen justify their statement contained in

paragraph 3(j) of the written statement that the action of the management was contrary to the mandatory provision of Section 25G of the Industrial Disputes Act, 1947 and since no good reason was mentioned in the written statement or evidence led by the management, the termination of service by way of retrenchment is accordingly bad and illegal.

17. Retrenchment has been defined in Section 2(oo) of the Industrial Disputes Act, 1947 which says that retrenchment means termination by the employer for any reason whatsoever otherwise than the four situations mentioned in Clauses (a), (b), (bb) and (c) of the said section.

18. While I direct these 12 persons to be reinstated in service, in considering whether they are entitled to the full back wages, I find from the evidence of the workmen as stated by Workmen's Witness No. 2 that since the termination of their service, they are without any employment but keeping in view of the fact that had they been allowed to work, they would have allowed only for a period of about 20 days in a month, if the nature of work continued at that and keeping in view that none of the workmen had any fixed wage per month and the nature of the job required to work for a part of the month, they would be only entitled to the back wages calculated at wages for 15 days for every month during the period they are out of work since the date of their termination on 1-3-1980 till the date of reinstatement.

The reference is answered accordingly.

Dated. Calcutta,

The 19th August, 1996.

K. C. JAGADEB ROY, Presiding Officer

नई दिल्ली, 11 सितम्बर, 1996

का० आ० 2821.—केन्द्रीय सरकार का यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित है कि दिल्ली दुग्ध योजना के अधीन दुग्ध आपूर्ति, उद्योग को, जो औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की पहली अनुसूची के पदसंख्या-6 के अधीन आता है, उक्त अधिनियम के प्रयोजनार्थ लोक उपयोगी सेवा धोषित किया जाए।

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (घ) के उपखंड (VI) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार दिल्ली दुग्ध योजना के अधीन दुग्ध आपूर्ति उद्योग को उक्त अधिनियम के प्रयोजनों के लिये छह माह की कालावधि के लिए तत्काल प्रभाव से लोक उपयोगी सेवा धोषित करती है।

[संख्या एस०—11017/14/81-डी० 1(ए)]

हरी चन्द गुप्ता, अवर सचिव

New Delhi, the 11th September, 1996

S.O. 2821.—Whereas the Central Government is satisfied that the public interest requires that the industry for the supply of milk under the Delhi

Milk Scheme which is covered by Item 6 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act;

Now, therefore in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with immediate effect the industry for the supply of milk under the Delhi Milk Scheme to be a public utility service for the purposes of the said Act for a period of six months.

[No. S-11017/14/81-D.I(A)]

H. C. GUPTA, Under Secy.

नई दिल्ली, 18 सितम्बर, 1996

का० आ० 2822.—केन्द्रीय सरकार, दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 25 के उप-खण्ड (1-अ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री श्री ओ० पी० बागड़ी, विधि अधिकारी ग्रेड-II, सर्वश्री आनन्द स्वर्ण सिंह, जे० पी० झा, बाबू वर्गीज, महादेव फकीरा सखार और सुश्री रीतू शुकला, खान सुरक्षा महानिदेशालय में विधि सहायकों को उन संघ राज्य क्षेत्रों जिन पर उक्त अधिनियम लागू है, में मैजिस्ट्रेटों के सभी न्यायालयों के समक्ष खान अधिनियम, 1952 (1952 का 35) के अन्तर्गत अभियोजन मामलों का संचालन करने के लिये सहायक लोक अधिवक्ताओं के रूप में नियुक्त करती है।

[संख्या एस० 29016/4/95-आई० एस० एच० (II)]

प्रफुल्ल केरकेट्टा, अवर सचिव

New Delhi, the 18th September, 1996

S.O. 2822.—In exercise of the powers conferred by Sub-Section (1-A) of Section 25 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri O.P. Bagri, Law Officer Gr. II, S/Shri Anand Swarup Singh, J. P. Jha, Bobby Varghese, Mahadeo Fakira Sakhara and Ms. Ritu Shukla, Law Assistants in the Directorate General of Mines Safety as Assistant Public Prosecutors to conduct prosecution cases launched under the Mines Act, 1952 (35 of 1952) before all the courts of Magistrates in the territories to which the said Act extends.

[No. S-29016/4/95-ISH-(II)]

PRAFULLA KERKETTA, Under Secy.

नई दिल्ली, 20 सितम्बर, 1996

का० आ० 2823.—कर्मचारी भाविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 16 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार, श्रम मंत्रालय के कानूनी आदेश सं० 189 दिनांक 5-1-1993 के अधिसूचना के अन्तर्गत की परिस्थितियों को ध्यान में रखते हुए, केन्द्रीय सरकार की

यह राय है कि ऐसा करना समीचीन है और वह "समिति पंजीकरण अधिनियम, 1860 अथवा किसी अन्य कानून जो इस समय किसी राज्य में लागू है, के अंतर्गत पंजीकृत स्वयंसेवी संगठनों को कुछ निवारण के काम में लगे हुए हों" को एक वर्ग के रूप में 22 सितम्बर, 1995 से अगले दो साल की अवधि के लिये उपर्युक्त अधिनियम के प्रवर्तन से एतद्द्वारा छूट प्रदान करती है।

[सं० एस-35014/1/96-एस० एस०-II]

जे० पी० शुक्ला, अवर सचिव

New Delhi, the 20th September, 1996

S.O. 2823.—In exercise of the powers conferred by sub-section (2) of section 16 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) and in continuation of the notification of the Government of India, Ministry of Labour S.O. No. 189 dated the 5th January, 1993, the Central Government, after having regard to the circumstances of the case, is of the opinion that it is expedient to do, hereby exempts "Voluntary organisations registered under the Societies Registration Act, 1860 or any other law for the time being in force in any State and engaged in leprosy eradication programme" as a class, from the operation of the said Act for a further period

of two years with effect from the 22nd September, 1995.

[No. S-35014/1/96-SS-III]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 20 सितम्बर, 1996

का प्रा 2824.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1-10-1996 का उक्त तारीख के रूप में नियत करती है। जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के सिवाय जा पहले ही प्रवृत्त की जा चुकी है। और अध्याय-5 और 6 [धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध बिना राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्—

क्र.सं.	राजस्व ग्राम	राजस्व थाना का नाम	थाना नं.	जिला
1.	गोलमुरी	घाटशिला	1152	सिंहभूम
2.	कालिमाटी	घाटशिला	1163	सिंहभूम
3.	बेल्दीह (बिस्टुपुर)	घाटशिला	1154	सिंहभूम
4.	कुदमा	घाटशिला	1160	सिंहभूम
5.	सोनारी	घाटशिला	1156	सिंहभूम

[संख्या एस-38013/17/96-एस० एस०-I]

जे० पी० शुक्ला, अवर सचिव

New Delhi, the 20th September, 1996

S.O. 2824.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st October, 1996 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Bihar namely:—

Sl. No.	Name of Revenue Village	Name of Revenue Thana No.	Thana No.	District
1.	Golmuri	Ghatshila	1152	Singbhum
2.	Kalimati	Ghatshila	1163	Singbhum
3.	Beldih (Bistupur)	Ghatshila	1154	Singbhum
4.	Kudma	Ghatshila	1160	Singbhum
5.	Sonari	Ghatshila	1156	Singbhum

[No. S—38013/17/96—SS.I]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 20 सितम्बर, 1996

New Delhi, the 20th September 1996

का. प्रा. 2825-कर्मचारी भविष्य निधि योजना, 1952 के पैराग्राफ 52 के उप पैराग्राफ (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की दिनांक 21 जून, 1995 की अधिसूचना संख्या का. प्रा. 1895 का अधिक्रमण करते हुए, केन्द्रीय सरकार एनर्जेटिका निवेश वेनी है निधि से संबंधित सभी धनराशियों का निम्नलिखित पैटर्न के अनुसार निवेश किया जायेगा, अर्थात्:-

निवेश पद्धति	निवेश किए जाने वाले राशि का प्रतिशत
(i) केन्द्रीय सरकार प्रतिभूतियाँ	पच्चीस प्रतिशत
(ii) (क) किसी राज्य सरकार द्वारा सृजित और जारी की गई सरकारी प्रतिभूतियाँ जैसाकि लोक आण अधिनियम 1944 (1944 का 18) की धारा 2 में परिभाषित किया गया है, तथा/अथवा (ख) ऐसी अन्य परराष्ट्र प्रतिभूतियाँ जिनका पन्द्रह प्रतिशत मूल राशि तथा उसके ब्याज की केन्द्रीय सरकार अथवा किसी राज्य सरकार द्वारा पूरी तरह से बिना शर्त गारंटी प्रदान की जाती है, उनमें निम्नलिखित (IV) (क) के अंतर्गत आने वाले प्रतिभूतियाँ शामिल नहीं है।	
(iii) भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य वित्त विभाग की अधिसूचना संख्या एफ 16(1) पी डी/ 75 दिनांक 30 जून, 1975 के अंतर्गत जारी की गई विशेष जमा राशि स्कीम जिसे अधिसूचना संख्या एफ 16(8) पी डी/ 85 दिनांक 12 जून, 1985 तथा एफ 15(23)-पी डी/ 94 दिनांक 26 मई, 1995 द्वारा विस्तारित किया गया था।	
(iv) (क) कंपनी अधिनियम की धारा 4(क) चालित प्रतिगत में निविष्ट लोक वित्तीय संस्थाओं के बाह्य/प्रतिभूतियाँ, आयकर अधिनियम, 1961 की धारा 2(36), (क) में यथा परिभाषित सरकारी क्षेत्र की कंपनियाँ, तथा/अथवा (ख) सरकारी क्षेत्र के बैंकों द्वारा जारी जमा राशियों के प्रमाण-पत्र	

2. उपरिलिखित पैरा 1 के (i) (ii) और (iv) के अंतर्गत पूर्ववत् निर्देशों को परिपक्वता पर प्राप्त होने वाली धनराशियों में से आवश्यक व्यय को घटा कर शेष का इस अधिसूचना में निविष्ट नहीं निवेश पद्धति के अनुसार निवेश किया जायेगा।

3. जहाँ विशेष जमा योजना के अंतर्गत जमा राशियाँ तथा उनके परिपक्व होने पर ब्याज प्राप्त होता है, ऐसी राशियाँ विशेष जमा योजना के अंतर्गत निवेश की जा सकती हैं। इसी प्रकार, उपरिलिखित पैरा 1 की श्रेणी (i) (ii) और (iv) के अंतर्गत प्राप्त ब्याज की धनराशि का उसी श्रेणी में फिर से निवेश किया जा सकता है।

4. उपरिलिखित पैराग्राफों में परिकल्पित निवेश पद्धति को वित्तीय वर्ष की समाप्ति तक पूरा कर लिया जायेगा तथा यह 1 अक्टूबर 1996 से प्रभावी है।

[यथवा जी-20015/2/93-एस एस.-II]

जे. पी. शुक्ला, अवर सचिव

S.O. 2825—In exercise of the powers conferred by Sub-paragraph (1) of Paragraph 52 of the Employees' Provident Funds Scheme, 1952 and in supersession of the notification of the Government of India in the Ministry of Labour No. S.O. 1895 dated the 21st June, 1995, the Central Government hereby directs that all moneys belonging to the Fund shall be invested in accordance with the following pattern namely:-

Investment Pattern	Percentage of Amount to be Invested
(i) Central Government Securities	Twenty Five per cent.
(ii) (a) Government Securities as defined in Section 2 of the Public Debt Act, 1944 (18 of 1944) created and issued by any State Government; and/or (b) Any other negotiable securities principal whereof and interest whereon is fully and unconditionally guaranteed by the Central Government or any State Government except those covered under (iv) (a) below.	Fifteen per cent.
(iii) Special Deposit Scheme introduced vide the Notification of Government of India in the Ministry of Finance, Department of Economic Affairs' No. F.16(1)-PD/75 dated 30th June, 1975, as extended by Notification No. F.16(8)-PD/85 dated 12th June, 1985 and No. F.15(23)-PD/94 dated 26th May, 1995.	Twenty per cent.
(iv) (a) Bonds/Securities of 'Public Financial institutions' as specified under Section 4(a) of the Companies Act; "public sector companies" as defined in Section 2 (36-A) of the Income Tax Act, 1961; and/or (b) Certificates of deposits issued by a public sector bank.	Forty per cent.

2. Where any money are received on the maturity of earlier investment under (i) (ii) and (iv) of para 1 above such moneys, reduced by obligatory outgoings, shall be invested in accordance with the new investment pattern prescribed in this Notification.

3. Where moneys are received on maturity of deposits under Special Deposit Scheme and interest there on such moneys may be invested under the Special Deposit Scheme. Similarly, interest received under categories (i) (ii) and (iv) of para 1 above may be reinvested in the same category.

4. The investment pattern as envisaged in the preceding paragraphs may be achieved by the end of a financial year and is effective from 1st October, 1996.

[No.G-20015/2/93-SS.II]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 20 सितम्बर, 1996

का० भा० 2826—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 17 की उपधारा (3) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के धर्म मंत्रालय की अधिसूचना संख्या का० भा० 1896 दिनांक 21 जून, 1995 का अधिष्ठापन करते हुए, यह निदेश देती है कि उक्त अधिनियम की धारा 17 की उपधारा (1) के खंड (क) अथवा खंड (ख) के अधीन छूट प्राप्त किसी स्थापना के अथवा कर्मचारी भविष्य निधि योजना, 1952 के पैरा 27, या पैरा 27-क अथवा जैसी भी स्थिति हों के अधीन छूट प्राप्त किसी कर्मचारी या कर्मचारियों के वर्ग के संबंध में प्रत्येक नियोजित ऐंग स्थापना अथवा यथास्थिति ऐसे कर्मचारी या कर्मचारी वर्ग से संबंधित मासिक भविष्य निधि अभिदायों का अंतरण उम मास के समाप्त होने से 15 दिन के भीतर उस स्थापना के संबंध में सम्बन्ध रूप से गठित न्यायी बोर्ड को करेगा और उक्त न्यायी बोर्ड नियोजक से उक्त अभिदायों की प्राप्ति की तारीख से दो सप्ताह की अवधि के भीतर स्थापना अथवा यथास्थिति कर्मचारियों या कर्मचारी वर्ग से संबंधित भविष्य निधि संचयन अर्थात् अभिदाय, ब्याज और अन्य प्राप्तियों को किन्हीं बाध्यकर देवदारियों को कटौती करने के बाद निम्न-व्यवस्था के अनुसार वितरित करेगा, अर्थात्—

निवेश पद्धति	निवेश किये जाने वाली राशि का प्रतिशत
(i) केन्द्रीय सरकार प्रतिभूतियाँ	पन्धरी प्रतिगत
(ii) (क) किसी राज्य सरकार द्वारा सुविज और जारी की गई सरकारी प्रतिभूतियाँ जैसा कि लोक ऋण अधिनियम, 1944 (1944 का 18) की धारा 2 में परिभाषित किया गया है, तथा अथवा (ख) ऐसी अन्य परकाय प्रतिभूतियाँ जिनकी मूल राशि तथा उसके ब्याज को केन्द्रीय सरकार अथवा किसी राज्य सरकार द्वारा पूरी तरह से बिना शर्त गारंटी प्रदान की जाती है, उनमें निम्नलिखित (4) (क) अंतर्गत आने वाली प्रतिभूतियाँ शामिल नहीं है	पन्ध्र प्रतिगत
(iii) भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग की अधिसूचना संख्या एक 16(1) पी डी/75 दिनांक 30 जून 1975 के अंतर्गत जारी की गई विशेष जमा राशि स्कीम जैसे अधिसूचना संख्या एक 16(8) पी डी/85, दिनांक 12 जून, 1985 तथा एक 15(23)-पी डी/94, दिनांक 26 मई, 1995 द्वारा विस्तारित किया गया था।	बीस प्रतिगत
(iv) (क) कंपनी अधिनियम की धारा 4(क) में निविष्ट "लोक वित्तीय शक्तियों के बोर्ड" प्रतिभूतियाँ, आयाकर अधिनियम, 1981 की धारा 2(36 क) में व्यापारिक "सरकारी क्षेत्र की कंपनियाँ", तथा अथवा (ख) सरकारी क्षेत्र के बैंक द्वारा जारी जमा राशियों के प्रमाण-पत्र।	चासी प्रतिगत

2. उपरिलिखित पैरा 1 के (ii) और (iv) के अंतर्गत पूर्ववर्ती निवेशों की परिपक्वता प्राप्त होने वाली धनराशियों में से आवश्यक

व्यय को घटाकर शेष राशि का इस अधिसूचना में निविष्ट नई निवेश पद्धति के अनुसार निवेश किया जायेगा।

3. जहाँ विशेष जमा योजना के अंतर्गत जमा राशियाँ तथा उनके परिपक्व होने पर ब्याज प्राप्त होता है, ऐसी राशियाँ विशेष जमा योजना के अंतर्गत निवेश की जा सकती हैं। इसी प्रकार, उपरिलिखित पैरा 1 की श्रेणी (i) (ii) और (iv) के अंतर्गत प्राप्त ब्याज का धनराशि का उनी श्रेणी में फिर से निवेश किया जा सकता है।

4. उपरिलिखित पैरा 1 में परिष्कृत निवेश पद्धति को वित्तीय वर्ष की समाप्ति तक पूरा कर लिया जायेगा तथा यह 1 अक्टूबर, 1996 से प्रभावी है।

[संख्या जी-20015/2/93-एस०एस० (II)]

जे० पी० शुक्ला, भवर सचिव

New Delhi, the 20th September, 1996

S.O. 2826.—In exercise of the powers conferred by Clause (a) of sub-section (3) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) and in supersession of the notification of the Government of India, Ministry of Labour No. S.O. 1896 dated 21st June, 1995 the Central Government hereby directs that every employer in relation to an establishment exempted under clause (a) or clause (b) of sub-section (i) of Section 17 of the said Act or in relation to any employee or class of employees exempted under paragraph 27, or as the case may be, paragraph 27A of the Employees' Provident Funds Scheme, 1952, shall transfer the monthly provident fund contributions in respect of the establishment or, as the case may be, the employee or class of the employees within fifteen days of the close of the month to the Board of Trustees duly constituted in respect of that establishment, and that the said Board of Trustees shall invest every month within a period of two weeks from the date of receipt of the said contributions from the employee, the provident fund accumulations in respect of the establishment or as the case may be, of the employee, or class of employees that is to say, the contributions, interest and other receipts as reduced by any obligatory outgoings, in accordance with the following pattern, namely:—

Investment Pattern	Percentage of Amount to be Invested
1	2
(i) Central Government Securities	Twenty Five per cent
(ii) (a) Government Securities as defined in Section 2 of the Public Debt Act, 1944 (18 of 1944) created and issued by any State Government; and/or (b) Any other negotiable securities the principal whereof and interest whereon is fully and unconditionally guaranteed by the Central Government or any State Government except those covered under (iv) (a) below.	Fifteen per cent
(iii) Special Deposit Scheme introduced vide the Notification of Government of India in the Ministry of Finance, Department of Economic Affairs No- F. 161-PD/75 dated	Twenty per cent

1	2
30th June, 1975, as extended by Notification No.F.16(8)—PD/ 85 dated 12th June, 1985 and No. F.15 (23)—PD/94, dated 26th May, 1995.	
(iv) (a) Bonds/Securities of 'Public financial institutions' as specified under Section 4(a) of the Companies Act; "public sector companies" as defined in Section 2 (36-A) of the Income Tax Act, 1961; and/or (b) Certificates of deposits issued by a public sector bank.	Forty per cent

2. Where any moneys are received on the maturity of earlier investment under (i), (ii) and (iv) of para 1 above such moneys, reduced by obligatory outgoings, shall be invested in accordance with the new investment pattern prescribed in this Notification.

3. Where moneys are received on maturity of deposits under the Special Deposit Scheme and interest thereon, such moneys can be invested under the Special Deposit Scheme. Similarly, interest received under categories (i), (ii) and (iv) of para 1 above may be reinvested in the same category.

4. The investment pattern as envisaged in the preceding paragraphs may be achieved by the end of a financial year and is effective from 1st October, 1996.

[No.G-20015/2/93-SS.II]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 6 सितम्बर, 1996

का.आ. 2827.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बेतदा रिक्टर बोर्ड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

1. एल-42011/65/90-आई आर (डीयू)
2. एल-42012/161/90-आई आर (डीयू)
3. एल-42011/59/90-आई आर (डीयू)
4. एल-42011/60/90-आई आर (डीयू)
5. एल-42012/61/90-आई आर (डीयू)
6. एल-42011/63/90-आई आर (डीयू)
7. एल-42011/55/90-आई आर (डीयू)
8. एल-42011/55/90-आई आर (डीयू)
9. एल-42011/54/90-आई आर (डीयू)
10. एल-42011/53/90-आई आर (डीयू)
11. एल-42011/52/90-आई आर (डीयू)
12. एल-42011/51/90-आई आर (डीयू)
13. एल-42011/56/90-आई आर (डीयू)
14. एल-42011/57/90-आई आर (डीयू)
15. एल-42011/64/90-आई आर (डीयू)

16. एल-42011/58/90-आई आर (डीयू)
17. एल-42011/77/90-आई आर (डीयू)
18. एल-42011/74/90-आई आर (डीयू)
19. एल-42012/270/90-आई आर (डीयू)
20. एल-42011/27/90-आई आर (डीयू)
21. एल-42011/19/90-आई आर (डीयू)
22. एल-42011/13/90-आई आर (डीयू)
23. एल-42012/67/90-आई आर (डीयू)
24. एल-42012/68/90-आई आर (डीयू)
25. एल-42012/35/90-आई आर (डीयू)
26. एल-42012/36/90-आई आर (डीयू)
27. एल-42012/37/90-आई आर (डीयू)
28. एल-42012/38/90-आई आर (डीयू)
29. एल-42012/39/90-आई आर (डीयू)
30. एल-42011/7/90-आई आर (डीयू)
31. एल-42011/8/90-आई आर (डीयू)
32. एल-42011/9/90-आई आर (डीयू)
33. एल-42011/10/90-आई आर (डीयू)
34. एल-42011/11/90-आई आर (डीयू)
35. एल-42011/12/90-आई आर (डीयू)
36. एल-42012/65/90-आई आर (डीयू)
37. एल-42011/6/90-आई आर (डीयू)
38. एल-42012/63/90-आई आर (डीयू)
39. एल-42012/64/90-आई आर (डीयू)
40. एल-42012/66/90-आई आर (डीयू)
41. एल-42011/24/90-आई आर (डीयू)
42. एल-42011/25/90-आई आर (डीयू)
43. एल-42011/76/90-आई आर (डीयू)
44. एल-42011/22/90-आई आर (डीयू)
45. एल-42011/23/90-आई आर (डीयू)
46. एल-42011/20/90-आई आर (डीयू)
47. एल-42011/21/90-आई आर (डीयू)
48. एल-42011/17/90-आई आर (डीयू)
49. एल-42011/18/90-आई आर (डीयू)
50. एल-42011/75/90-आई आर (डीयू)
51. एल-42011/80/90-आई आर (डीयू)
52. एल-42011/79/90-आई आर (डीयू)
53. एल-42012/271/90-आई आर (डीयू)
54. एल-42011/81/90-आई आर (डीयू)
55. एल-42011/78/90-आई आर (डीयू)
56. एल-42012/111/93-आई आर (डीयू)
57. एल-42012/110/93-आई आर (डीयू)

[सं. एल. 42011/65/90 आई. आर. (डी. वी.)]
के. वी. वी. उज्जो, डेस्क अधिकारी

New Delhi, the 6th September, 1996

S.O. 2827.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award

of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Betwa River Board and their workman, which was received by the Central Government.

1. L-42012|161|90-IR(DU).
2. L-42011|59|90-IR(DU).
3. L-42011|60|90-IR(DU).
4. L-42012|61|90-IR(DU).
5. L-42011|63|90-IR(DU).
6. L-42011|55|90-IR(DU).
7. L-42011|55|90-IR(DU).
8. L-42011|54|90-IR(DU).
9. L-42011|53|90-IR(DU).
10. L-42011|52|90-IR(DU).
11. L-42011|51|90-IR(DU).
12. L-42011|56|90-IR(DU).
13. L-42011|57|90-IR(DU).
14. L-42011|64|90-IR(DU).
15. L-42011|58|90-IR(DU).
16. L-42011|77|90-IR(DU).
17. L-42011|74|90-IR(DU).
18. L-42012|270|90-IR(DU).
19. L-42011|27|92-IR(DU).
20. L-42011|19|90-IR(DU).
21. L-42011|13|90-IR(DU).
22. L-42012|67|90-IR(DU).
23. L-42012|68|90-IR(DU).
24. L-42012|35|90-IR(DU).
25. L-42012|36|90-IR(DU).
26. L-42012|37|90-IR(DU).
27. L-42012|38|90-IR(DU).
28. L-42012|39|90-IR(DU).
29. L-42011|7|90-IR(DU).
30. L-42011|8|90-IR(DU).
31. L-42011|9|90-IR(DU).
32. L-42011|10|90-IR(DU).
33. L-42011|11|90-IR(DU).
34. L-42011|12|90-IR(DU).
35. L-42012|63|90-IR(DU).
36. L-42011|6|90-IR(DU).
37. L-42012|63|90-IR(DU).
38. L-42012|64|90-IR(DU).
39. L-42012|66|90-IR(DU).
40. L-42011|24|90-IR(DU).
41. L-42011|25|90-IR(DU).
42. L-42011|76|90-IR(DU).
43. L-42011|22|90-IR(DU).
44. L-42011|22|90-IR(DU).

45. L-42011|20|90-IR(DU).
46. L-41011|21|90-IR(DU).
47. L-42011|17|90-IR(DU).
48. L-42011|18|90-IR(DU).
49. L-42011|75|90-IR(DU).
50. L-42011|80|90-IR(DU).
51. L-42011|79|90-IR(DU).
52. L-42012|271|90-IR(DU).
53. L-42011|81|90-IR(DU).
54. L-42011|78|90-IR(DU).
55. L-42012|111|93-IR(DU).
56. L-42012|110|93-IR(DU).

[No. L-42011|65-90-IR(DV)]

K.V.B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B.K. SRIVASTAVA PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT PANDU NAGAR, KANPUR

Industrial Disputes nos: 79/91, 86/91, 87/91, 88/91, 89/91, 91/91, 102/91, 104/91, 105/91, 106/91, 107/91, 108/91, 81/91, 1/08/91, 90/91, 85/91, 137/91, 188/91, 141/91, 142/91, 102/91, 220/90, 221/90, 222/90, 223/90, 224/90, 225/90, 226/90, 227/90, 228/90, 229/90, 230/90, 231/90, 232/90, 233/90, 234/90, 235/90, 236/90, 237/90, 237/90, 239/90, 240/90, 241/90, 242/90, 243/90, 244/90, 245/90, 246/90, 247/90, 248/90, 136/91, 139/91, 140/91, 143/91, 144/91, 145/91, 71/94 and 72/94.

In the matter of dispute between:

Sri Anil Kumar Malviya

General Secretary

Work Charged Karamchari Sangh

Rajghat District Lalitpur U.P.

And

Chief Engineer

Betwa River Board

Rajghat, Dam Nandanpur

Jhansi.

Apperance: P. N. Verma for the Management

D. N. Tiwari for the workmen.

Award:

Central Government, Ministry of Labour, New Delhi, vide its notification numbers (given below) has referred the following disputes in relation to the workmen named below for its adjudication to this Tribunal:

Whether the demand of Workcharged Karamchari Sangh to regularise the workmen of Betwa River Board Rajghat Dam Jhansi against their post with retrospective effect from the date of their appointments is justified? If not, what relief the workmen concerned are entitled to?

1. L-42011/65/90/IRDU dt. 14-6-91 (I.D.No.81/91)

Name	Design	Date of appointment
1	2	3
1. Sri Jagropan	Waterman	16-6-79
2. Smt. Kusum Bai	"	16-8-88
3. Smt. Prembai	"	25-7-81
4. Amar Singh	"	20-1-81

1	2	3
5. Lakhan Singh	Waterman	23-10-80
6. Smt. Rajeshwaribai	"	16-8-88
7. Asharam	"	13-5-81
8. Jasrath Singh	"	14-6-81
9. Santosh Singh	"	01-7-80
10. Bhawan Lal	"	01-11-80
11. Mohan Lal	"	15-04-80
12. Ram Singh	"	05-01-80
13. Mahraj Singh	"	01-01-79
2. L-42012/161/90/IRDU dt. 14-6-91 (I.D. 79/91)		
1. Kishori Lal	Driver	23-3-81
3. L-42011/59/90/IRDU dt. 17-6-91 (I.D. 86/91)		
1. Rampal Singh	Dakarnar	10-10-79
2. Prabhu Dayal	"	1-02-79
3. Parsuram	"	01-03-81
4. Gokul Prasad	"	01-03-81
5. Ram Kishore	Dak Runner	27-3-81
6. Udhasingh	"	2-5-80
7. Diwan Singh	"	30-9-80
8. Pratap Singh	"	27-4-81
9. Roop Singh	"	1-2-79
10. Padam Singh	"	27-3-81
11. Kamlesh Kumar	"	1-10-80
4. L-42011/60/90/IRDU dt. 17-6-91 (I.D. 87/91)		
1. M.L. Soni	Lower Div. Clerk	12-11-79
2. Sitaram	"	19-2-79
3. Brij Behari	"	4-4-80
4. Siyaram Verma	"	25-6-79
5. D.P. Rai	"	22-1-80
6. Ganga Prasad	"	5-1-79
7. R.N. Purohit	"	22-1-80
8. Chandra Prakash Tripathi	"	28-9-79
9. Puranlal	"	27-7-79
5. L-42012/61/90/IRDU dt. 17-6-91 (I.D. No. 88/91)		
1. Makhan Singh Bundela	Lower Div. Clerk	23-1-80
2. Rajendra Kr. Nayak	"	11-3-80
3. K.L. Sharma	"	17-3-80
4. V.K. Choubey	"	11-10-79
5. P.K. Srivastava	"	17-11-79
6. Shivi Dayal	"	25-10-79
7. Chandra Prakash Gupta	"	8-4-80
8. B.R. Bablani	"	2-5-80
9. Kalyan Prasad	"	2-4-80
6. L-42011/63/90/IRDU dt. 17-6-91 (I.D. 89/91)		
1. Arjun Singh Yadav	Lower Div. Clerk	29-8-79
2. Ajai Kumar Nigam	"	1-1-80
3. Ram Lakhan Maurya	"	9-4-79
4. O.P. Srivastava	"	27-2-79
5. Daya Shanker Chaubey	"	10-10-79
6. Badri Narain Tiwari	"	6-6-78
7. Mahendra Kumar	"	1-11-79
8. Gauri Shanker Nayak	"	1-1-80
10. Surendra Pal Singh	"	1-1-80
11. Kalyan Prasad Thapak	"	10-1-79
12. O.P. Tirari	"	31-4-79

1	2	3
7. L-42011/62/90/IRDU dt. 17-6-91 (I.D. 91/91)		
1. V.K. Narvariya	Lower Div. Clerk	1-1-79
2. Pran Singh Yadav	"	26-11-79
3. Rajendra Pd. Dubey	"	1-4-79
4. S.C. Tiwari	"	1-1-80
5. Ishwaridutt Sharma	"	8-12-79
6. Jai Prakash Sharma	"	3-11-79
7. Gaurishanker Chaturvedi	"	14-5-80
8. K.R. Nayak	"	6-8-79
9. P.N. Srivastava	"	17-12-79
10. Nasir Beg	"	27-7-78
8. L-42011/55/90/IRDU dt. 17-6-91 (I.D. 102/91)		
1. Manik Lal	Chowkidar	11-3-80
2. Krishna Kant Pathak	"	1-3-88
3. Clamant Fransis	"	1-3-88
4. Ramesh Chand Namdeo	"	5-7-80
5. Mannu Lal	"	1-3-81
6. Ramesh Chand	"	1-7-78
7. Bhaiya Lal	"	1-7-88
8. Ram Pal	"	21-5-80
9. Phulloo	"	21-5-80
10. Komal Yadav	"	19-2-89
11. Ashok Kumar Pandey	"	9-6-81
9. L-42011/55/90/IRDU Dt. 17-6-91 (I.D. 103/91)		
1. Lal Singh	Chowkidar	28-1-80
2. Bachho Lal	"	11-3-80
3. Himmat Singh	"	23-1-80
4. Kripal Singh	"	28-10-88
5. Hardayal Singh	"	28-1-80
6. Raja Ram	"	1-1-80
7. Radhika Prasad	"	20-2-80
8. Rameshwar Dayal	"	22-1-80
9. Kajimraj	"	23-1-80
10. Ram Sewak	"	23-1-80
11. Jairam	"	5-2-81
10. L-42011/53/90/IRDU Dt. 17-6-91 (I.D. 105/91)		
1. Nathhu	Chowkidar	29-5-81
2. Santram	"	1-3-79
3. Randhir	"	16-6-80
4. Raghubir Singh	"	29-1-80
5. Ram Dayal	"	1-10-88
6. Hukum Singh	"	1-2-81
7. Raghunath Singh	"	1-5-81
8. Kishan Lal	"	20-4-81
9. Sukhlal	"	5-11-80
10. Bhaiya Lal	"	14-5-80
11. L-42011/54/90/IRDU dt. 14-6-91 I.D. No. 106/91)		
1. Munna Lal	Chowkidar	18-8-80
2. Ram Charan	"	1-12-80
3. Auandi Lal	"	19-2-89
4. Bhagawat Prasad	"	1-6-89
5. Arjun	"	1-12-80
6. Chhimma	"	9-2-89
7. Bharosa	"	19-2-89
8. Shlv Charan	"	1-4-80
9. Saligram	"	2-5-80
10. Hardayal	"	2-5-80
11. Nirpal Singh	"	1-7-80

1	2	1	2
12. L-42011/51/90/IRDU dt. 14-6-91 (I.D. No. 107/91)		4. Rajendra Kumar	Work Supervisor 24-4-81
1. Santosh Kumar	Chewkidar 1-6-80	Srivastav	
2. Kammod Singh	" 1-1-81	5. Jagat Raj Niranjana	" 8-4-80
3. Harprasad	" 1-5-81	6. Alexgender	" 1-9-80
4. Bharat Singh	" 15-5-81	7. Ashok Kumar	" 6-10-78
5. Ram Dass	" 22-1-80	Srivastava	
6. Chandan Singh	" 22-2-80	8. Smt. Shashi Sharma	" 1-3-81
7. Dhiraj Singh	" 22-5-81	9. Manmodan Singh	" 1-3-81
8. Kuwnar Lal	" 1-2-81	10. Ram Singh Bundela	" 1-7-80
9. Madhav Prasad	" 21-4-81		
10. Dhani Ram	" 14-12-79	18. L-42011/74/90/IRDU dt. 16-9-91 (ID No. 141/91)	
11. Radhey Shayma	" 1-1-79	1. BKS Bhadauria	Work Supervisor 1-7-80
13. L-42011/56/90/LR.(DU.) dt. 17-6-91 (I.D. No. 109/91)		2. Ashok Kumar Shukla	" 1-7-80
1. Phool Singh	Chowkidar 2-5-80	3. Om Prakash	" 1-2-81
2. Katik Ram	" 2-5-80	Chaturvedi	
3. Narain Singh	" 1-11-89	4. Rajmangal Pandey	" 5-6-81
4. Hari Ram	" 13-11-89	5. Rajendra Singh Bakshi	" 9-6-80
5. Radhey Lal	" 2-2-81	6. Narain Das Raikwar	" 2-5-78
6. Sujan Singh	" 1-1-89	7. B.G. Pandey	" 1-3-82
7. Daler Singh	" 21-6-78	8. Vishwanath Gupta	" 19-6-80
8. Asha Ram	" 17-12-89	9. O.P. Shukla	" 24-8-88
9. Shambhoo Dayal	" 1-09-78		
10. Halloo Ram	" 1-02-80	19. L-42012/270/90/IRDU dt. 16-9-91 (ID No. 142/91)	
11. Vir Singh	" 1-04-80	1. Ahmad Rajjak	Surveyor 1-4-80
14. L-42011/57/90/IRDU Dt. 14-6-91 (ID No. 108/91)		20. L-42011/27/92/IRDU/ dt. 30-11-93 (ID No. 102/93)	
1. Faizu Mohd.	Fitter 1-1-79	1. Bhagirath	Waterman Nil
2. Ram Watar	" 21-4-80	2. Smt. Gendabai	" "
3. Lala Ram	" 5-4-80	3. Santosh	" "
4. Ram Bilas Mishra	" 22-4-80	4. Suresh Kumar Sirohi	Work Supr. "
5. Munna Lal	" 1-1-79	5. Basant Singh	Beldar "
6. Abdul Yasin	" 26-7-79	6. Shyam Lal	Chowkidar "
15. L-42011/64/90/IRDU dt. 17-6-91 (ID No. 90/91)		7. Deosingh	" "
1. Waqtawar Singh	Cook Gr. I 1-8-80	8. Hariram	" "
2. Bhagwan Singh	" 1-3-79	9. Habibkhan	" "
3. Komal Singh	" 23-2-79	10. Balkishan	Chaprasi "
4. Khoebehand Sharma	" 5-9-80		
5. Nathuram	Cook Gr. II 25-1-80	21. L-42011/19/90/IRDU dt. 24-10-90 (I.D. No. 220/90)	
6. Radhey Ram	" 25-1-80	1. P.N. Tiwari	L.D.C. 1-10-78
16. L-42011/58/90/IRDU dt. 17-6-91 (ID No. 85/91)		2. Ram Niwas Sharma	" 1-7-78
1. Ram Kumar Singh	Work Agent 22-5-81	3. Harishanker Soni	" 1-7-78
2. J. P. Goswami	" 22-5-81	4. Rameshwar Pd. Shukla	" 10-6-79
3. Munni Lal	" 6-5-81	5. Babulal Saini	" 30-7-79
Vishwakarma		6. Jaidip Agrawal	" 19-12-79
4. M.N. Khan	" 1-6-80	7. Sri Deokinandan Jogi	" 19-12-79
5. B.K. Girouthia	" 10-12-80	8. Virendra Kumar	" 28-8-78
6. Pratap Singh	" 1-6-80	9. Ram Kishore Dixit	" 28-9-79
7. Rajendra Kumar Srivastav	" 1-3-79	10. Suresh Kumar Saini	" 1-1-79
8. Janak Singh	" 25-5-81		
9. Saligram Kaushik	" 29-5-81	22. L-42011/13/90/IRDU dt. 24-10-90 (ID No. 221/90)	
16—L-42011/76/90/IRDU dt. 16-9-91 (ID No. 137/91)		1. Antulal	Chainman 2-5-80
1. Sant Prakash Verma	Asst. Store 1-6-80	2. Mahesh Shanker Jogi	" 3-4-79
Keeper		3. Harnarain Raikwar	" 23-4-81
2. Simaram	Store Munshi 25-8-81	4. Bhagwan Dass	" 23-4-81
17. L-42011/77/90/IRDU dt. 16-9-91 (ID No. 138/91)		Raikwar	
1. Sajid Hussain	Work Supervisor 1-1-80	23. L-42012/67/90/IRDU dt. 24-10-90 (ID No. 222/90)	
2. Surendra Singh	" 1-1-81	1. Smt. Suman Khare	Ward Aaya 1-1-81
3. Dindayal	" 23-5-81	24. L-42012/68/90/IRDU dt. 24-10-90 (ID No. 223/90)	
		1. Kishore Lal	Meson 1-8-80
		25. L-42012/35/90/IRDU dt. 24-10-90 (ID No. 224/90)	
		1. Moti Lal	Painter 1-1-79

1	2	3	1	2	3
26. L-42012/36/90/IRDU dt. 24-10-90 (225/90)			34. L-42011/11/90/IRDU dt. 24-10-90 (ID 233/90)		
1. Har Narain	Plumber	1-10-78	1. Deshraj Singh	Engg. Assistant	16-6-
27. L-42012/37/90/IRDU dt. 24-10-90 (I.D. 226/90)			2. Santosh Kumar Khare	"	21-4-
1. Sidanand Kala	Shift Dealer	28-2-80	3. R.S. Sengar	"	10-3-8
28. L-42012/38/90/IRDU dt. 24-10-90 (ID 227/90)			4. S.C. Sarswat	"	8-6-79
1. Ayodhya Prasad Sharma	Telephone Operator	4-7-81	5. Prem Bahadur Saxena	"	21-4-80
29. L-42012/39/90/IRDU dt. 24-10-90 (ID 228/90)			6. M.H. Khan	"	22-6-79
1. Tanku Lal	Black Smith	24-4-80	7. Bhudeo Sharma	"	22-4-80
30. L-42011/7/90/IRDU dt. 24-10-90 (ID 229/90)			8. Alinabi Naqvi	"	19-11-7
1. Ram Chander Bhise	Heavy Oper.	22-4-80	35. L-42011/12/90/IRDU dt. 24-10-90 (ID 234/90)		
2. Budhram	"	1-4-80	1. Sushil Sharma	Operator	22-4-80
3. Om Prakash Parashar	"	13-10-79	2. Ram Dass	"	21-4-80
4. Shambhu Dayal	"	25-9-80	3. Ramesh Narwaria	"	16-10-78
5. Franklin Joseph	"	1-10-79	4. Jaswant Singh	"	8-4-80
31. L-42011/8/90/IRDU dt. 24-10-90 (ID 230/90)			5. Selim Khan	"	22-4-80
1. Narendra Babu Tripathi	Teacher	5-6-81	6. Vir Singh	"	9-6-80
2. R. A. Sharma	"	25-5-81	7. Thowan Lal	"	19-2-80
3. H.S. Khare	"	22-1-80	36. L-42012/65/90/I.R.D.U. 24-10-91 (235/90)		
4. Narain Dass	"	1-6-81	1. Surat Singh	Mali	1-11-79
5. Varnam	"	4-10-78	37. L-42011/6/90/IRDU dt. 24-10-90 (ID 236/90)		
6. Laksha Baglani	"	18-7-78	1. Ram Chander Singh	Supervisor	4-5-81
7. Ashok Kumar Choubey	"	3-7-78	2. Anil Kumar Malviya	"	1-9-80
8. Ashok Nidhan Pandey	"	1-7-78	3. M.S. Tomar	"	18-9-80
9. Smt. Imarti Jain	"	14-8-78	4. G.S. Tiwari	"	18-9-80
10. Smt. Uma Khare	"	27-7-78	5. Yadnarain Sharma	"	18-9-80
11. Shanker Bux Singh	"	1-6-80	6. Dashrath Singh Bhadauria	"	1-2-80
32. L-42011/9/90/IRDU dt. 24-10-90 (ID 231/90)			7. Mithlesh Kumar Sharma	"	1-6-81
1. Rajendra Kr. Srivastava	Time Keeper	15-7-80	8. Chitrapal Singh	"	18-9-80
2. Laicek Haider	"	16-6-80	9. Ria Qureshi	"	6-10-80
3. Mannu Singh	"	1-4-80	10. Dinesh Kumar Srivastava	"	1-4-80
4. Ghanshyam Ahirwar	"	22-9-80	11. Shiv Mohan Verma	"	1-4-78
5. Brijlal Tiwari	"	1-7-80	38. L-42012/63/90/IRDU dt. 24-10-90 (ID 237/90)		
6. Jai Ram Sharma	"	16-10-89	1. Ajbir Singh	Cleaner	1-1-79
7. B.K. Jain	"	1-1-81	39. L-42012/64/90/IRDU dt. 24-10-90 (ID 238/90)		
8. Ramesh Pd. Srivastava	"	1-10-80	1. Shanker Lal	Carpenter	1-7-79
9. Narain Singh Yadav	"	8-12-80	40. L-42012/66/90/IRDU dt. 24-10-90 (ID 239/90)		
10. R. N. Nagalch	"	30-12-80	1. Srirajan	Welder	31-7-80
11. Harnam Singh Prajapati	"	1-5-80	41. L-42011/24/90/IRDU dt. 24-10-90 (ID 240/90)		
12. Rajan Singh	"	1-1-81	1. Munna Lal	Lineman	8-7-78
33. L-42011/10/90/IRDU dt. 24-10-90 (ID 232/90)			2. Vishram Singh	"	1-1-79
1. Ravi Shanker Tiwari	Daftari	1-11-79	42. L-42011/25/90/IRDU dt. 24-10-90 (ID 241/90)		
2. Sangram Singh	"	1-3-79	1. Moti Lal	Beldar	17-12-79
3. Ram Singh	"	1-9-78	2. Anrat Singh	"	5-12-80
4. Manohar Lal	"	17-6-78	3. Kartar Singh	"	1-6-81
5. Raj Bhan Singh	"	19-2-79	4. Ram Kumar	"	2-7-80
6. Chandra Bhan Singh	"	19-2-79	5. Praja Ram	"	6-3-79
7. Ganga Ram	"	1-8-79	6. Kunji Lal	"	17-9-79
8. Rashid Khan	"	13-11-79	7. Kapoor Singh	"	1-5-81
9. Amrit Lal	"	14-8-78	8. Subhash Rao	"	1-4-80
10. Ghanshyam Dass	"	1-3-79	43. L-42011/76/90/IRDU dt. 24-10-90 (ID 242/90)		
			1. Fateh Singh	Compounder	1-1-81
			2. Smt. Lokeshwari Sharma	"	17-10-80
			3. Brij Behari Chichaudia	"	22-4-81

1	2	3
44. L-42011/22/90/IRDU dt. 24-10-90 (ID 243/90)		
1. Kunjwan	Typist	12-12-79
2. N. Pasupalan	"	1-1-81
3. D.C. Goel	"	1-2-79
4. P.J. Yohinan	"	10-3-80
5. D.N. Mishra	"	12-4-80
6. A.C. Sachan	"	23-1-80
7. Ram Sajiwan	"	18-5-78
8. Trilochan Deo	"	2-4-80
9. Ramashanker Prajapati	"	18-9-80
10. Smt. Mani	"	1-11-79
11. Rajeshwar Dayal	"	10-9-78
12. Nandlal Nagar	"	28-7-78
45. L-42011/23/90/IRDU dt. 24-10-90 (ID 244/90)		
1. Kailash Narain	Electrician	20-6-78
2. Subhash Chaturvedi	"	22-4-80
3. Munna Khan	"	1-7-79
4. Chandan Pillai	"	1-1-80
46. L-42011/20/90/IRDU dt. 24-10-90 (ID 245/90)		
1. Kundan Lal	Driver	13-10-79
2. Sattar Khan	"	25-5-80
3. Irshad Khan	"	23-3-81
4. Arvind Parihar	"	6-10-80
5. Durga Charan	"	25-5-80
6. Abdul Wahid	"	26-5-80
7. Dularey Khan	"	15-1-81
8. Kishori	"	23-3-81
47. L-42011/21/90/IRDU dt. 24-10-90 (ID 246/90)		
1. Om Prakash	Sweeper	12-1-79
2. Bachhu Lal	"	1-7-78
3. Gilab	"	10-12-79
4. Champa Lal	"	1-5-81
5. Shiv Charan	"	4-5-81
6. Chhuni Lal	"	"
7. Daya Ram	"	19-5-81
8. Misri Lal	"	4-5-81
9. Guljari Lal	"	4-5-81
10. Ajit Kumar	"	1-3-78
48. L-42011/90/IRDU/17 dt. 24-10-90 (ID 247/90)		
1. Lal Singh	Helper	1-11-80
2. Ramprakash Dubey	"	23-11-79
3. P.D. Tiwari	"	11-3-80
4. Om Prakash	"	22-10-80
5. Asha Ram Jain	"	31-3-79
6. Mohan Lal	"	16-6-81
7. Pahalwan	"	1-4-80
49. L-42011/18/90/IRDU dt. 24-10-90 (ID 248/90)		
1. Kalu Ram	Helper	1-1-81
2. Shobha Ram	"	6-10-78
3. Bhaiya Lal Narwariya	"	23-1-80
4. Sarnam Singh	"	21-4-80
5. Jagropan	"	22-4-80
6. Debi Singh	"	14-12-80
7. Bal Kishan	"	1-11-80
8. Brijlal	"	29-12-80

1	2	3
50. L-42011/75/90/IRDU dt. 16-9-91 (ID 136/91)		
1. Kalyan Singh	Waterman	2-2-81
2. Durjan Singh	"	15-7-80
3. Mahatam Prasad	"	1-7-80
4. Kalicharan	"	1-2-81
5. Smt. Ramadevi	"	29-2-88
6. Ram Singh	"	5-6-87
7. Manmohan	"	1-1-82
8. Harnam Singh	"	2-5-80
9. Gorelal	"	2-5-80
10. Kripal Singh	"	1-5-81
11. Smt. Rais Begum	"	1-9-88
12. Smt. Shushila Sharma	"	1-3-88
51. L-42011/80/90/IRDU dt. 16-9-91 (ID 139/91)		
1. Chandan Singh	Beldar	1-3-81
2. Moti Lal	"	17-12-79
52. L-42011/79/90/IRDU dt. 16-9-91 (ID 140/91)		
1. Meharban Singh	Khalasi	1-8-89
2. Nandu Ahirwar	"	31-12-79
3. Arjun Singh	"	16-6-81
53. L-42012/271/90/IRDU dt. 16-9-91 (ID 143/91)		
1. Ram Sajiwan	Paricharak	2-5-81
54. L-42011/81/90/IRDU dt. 16-9-91 (ID 144/91)		
1. Jagpal Singh	Gateman	1-4-81
2. Arjun Singh	"	23-1-80
3. Harcharan	"	28-1-80
4. Dhani Ram	"	1-2-81
5. Billaud Nabi	"	1-11-80
6. Ramadhar Chaubey	"	19-2-79
7. Baldeo Prasad	"	19-2-79
8. Puran Singh	"	1-11-80
9. Vijay Kumar	"	20-4-81
10. Halkai	"	19-2-79
11. Kailash Narain	"	21-1-80
12. Ram Dass	"	13-2-80
55. L-42011/78/90/IRDU dt. 16-9-91 (ID 145/91)		
1. Babu Lal	Helper	1-9-89
2. Sunder Lal	"	1-9-80
3. Nurey Alam	"	18-4-80
56. L-42012/111/93/IRDU dt. 24-8-94 (ID 71/94)		
1. Phutu	Chowkidar	"
57. L-42012/110/93/IRDU dt. 24-8-94 (ID 72/94)		
1. Kamal Kumar	L.D.C.	"
	Choudhari	"

2. As common question of law and facts are involved in these references, the same are being disposed of by a common order. In I.D. No. 79/91 parties of all the above mentioned references have adduced evidence.

3. It is needless to give the details of workmen and their particulars as their names, designations and the date of appointment have been given above while giving details of references. It may further be added that all the claim statements have been filed on a cyclostyled form in which only particulars of names designations and date of appointments have been given. Hence, it is not necessary to give facts of each reference separately.

4. Their common case is that they are workcharged employees and have been doing the work of permanent nature continuously from the date of their respective appointments. In this position they have been working for about more than 10 years with the opposite party. Hence, they are entitled for regularisation. According they have prayed for regularisation from the date of their respective appointments.

5. The opposite party Betwa River Board (hereinafter referred to as Board) have filed a reply which is common in all the references. In the first place it is alleged that these disputes have not been properly espoused by the Union as it is not a registered one and the concerned workman are not its members. It was also alleged that the Central Government has enacted the Betwa River Board Act, 1976, for construction of Dam over Betwa River. The concerned workmen have been given project employment at Rajghat Dam which is likely to be completed by 1992. A project employee has no right to seek regularisation. It was also alleged that the opposite party is not an industry. Further it was alleged that regularisation can be claimed against a Post. There is no such post in the project, hence relief for regularisation cannot be granted. In any case regularisation cannot be granted from the date of appointment. It was also alleged that in Constructing Dam Central Government is performing sovereign function. Hence no reference can be made of such dispute. Claim is also alleged to be stale. Lastly it was alleged that there was an agreement between the parties dated 14-11-92 by which the concerned workmen had agreed not to seek regularisation, hence now they are estopped from seeking relief of regularisation.

6. In each of case the concerned workman has filed rejoinder in which they have denied the new factual allegations made in the written statement and have reiterated the facts as given in claim statement.

7. The first point which calls for consideration is as to whether the case of the concerned workmen has not been properly espoused. It may be mentioned that in the written statement the management had required the Union to file registration certificate and other allied papers. The Union has filed those papers. The union has also filed certificate of the year 1982 and 83 which shows that the Union which has espoused the cause of the concerned workmen is a registered one. Hence, this plea of the management goes out. Ruling of M/s. P. G. Virgincar and Company Versus S. V. Nevagi 1995 Lab IC 1075 will have no application.

8. Next it will be seen if the opposite party is not an industry. In support of this contention, the opposite party has referred to the case of

Sirajuddin versus State of U.P. 1994 Lab IC 191 in which it was held that Rural Engineering Services of PWD is not an Industry. I am afraid that this ruling will have no application to the facts of the case specially when Central Government, Ministry of Water Resources by letter dated 23-5-91 had conceded that Betwa River Board was an Industry. The copy of this letter is on record. In view of this concession, having been made by Central Government, it no longer lies in the mouth of opposite party to deny this status. Hence, this plea point is also decided against the opp. party.

9. Next it was contended that opposite party while constructing Dam is performing Sovereign functions. In support of this plea reliance has been placed upon the case of Vinod Rai Ratnot as Versus State of Gujarat 1994 Lab IC 821. In this case it was held that running of Department of Industries was a sovereign function. It was the case of appointment of an employee by the Dy. Secretary of this department which was challenged before Industrial Court. In that context it was held that functioning of this department by way of sovereign act, hence it was beyond the perview of industrial law. Once again I am of the opinion that this principle will not apply to the facts of the present case as in a number of cases projects have been held to be covered by the provision of Industrial Disputes Act. In other words execution of work in a project would tantamount to sovereign function, hence this plea is also overruled.

10. I also do not find any substance in the contention that this claim is stale as in the instant case the cause of action is continuing one.

11. Next objection regarding settlement dated 14-11-92, may be taken up. Its copy is ext. W-3 on record. It appears that daily rated employees of the Dam had served a notice by strike. Thereafter negotiations took place and this settlement was arrived at. It only says that for the time being regularisation is not feasible. At no point of time right to claim regularisation was given up. Hence, in my opinion, this agreement will not stand in the way of the concerned workmen in seeking regularisation. In other words it will not operate as estoppel. Accordingly this point is overruled.

12. Reference was made to the case of Chandra Prakash Trivedi Versus State of U.P. 1995 (3UPCBEC) 1896. In this case workers were class IV employees of Labour Department and were working for more than 8 years. They were qualified in all respect. Hence, High Court directed for their regularisation.

13. Now the last question regarding claim of regularisation may be considered. Before doing this it will be relevant to refer to salient features

of Betwa River Board Act, 1976. A preamble of the Act indicates that the purpose of the Act was to create reservoir at Rajghat by constructing of a Dam and to regulate to such reservoir. Section (2) of the Act, says that it will be under the Control of Central Government. The Betwa River Board shall be a corporate body. Section (8) lays down that as far as possible the services of employees of the Government of U.P. and M.P. should be utilised. The Board has been further empowered to appoint employees as it may deem necessary for the efficient discharge of function. This Act is silent about the mode of regularisation. The regulations which were framed subsequently also do not lay down any provisions for the manner of regularisations of employees who are taken from outside.

14. Now notice may be taken to the various authorities cited on behalf of the management. In the first place reference has been made to the case of Sudhir Chandra Tiwari Versus UPSEB 1995 Lab IC NOC 250 Allahabad. Details of this case are not known. It simply says that ad-hoc employee is not entitled for regularisation.

15. Next reference was made to Delhi Development Horticulture Employees Union Versus Delhi Administration in this case it was held that persons employed in Jawahar Lal Nehru Rojgar Yojna cannot claim regularisation merely on the ground that they had completed 240 days. This point is also not involved in the instant case as the concerned workmen of the instant case are seeking regularisation because of working for more than 10 years continuously.

16. Next reference was made to the case of State of Haryana Versus Pyara Singh AIR 1992 (SC) 2130. In this case the guideline for regularisation were laid down. Its reference will be made subsequently when question of regularisation is considered.

17. In the case of Dr. Sheela Roy Versus Union of India it has been held that research scientist who are appointed on ad hoc basis till the project last have no right to claim regularisation.

18. Reference was also made to the case of Suresh Chand Versus State of M.P. 1993 Lab IC 823. In this case right of State Government to make regularisation by executive orders was not upheld. It was further laid down that where there are no vacancy there could be no regularisation.

19. In the case of Zakir Hussain Versus Engineer in Chief Irrigation Department 1993 Lab IC 836, it was held that appointees on daily wages and on ad hoc basis have no right to claim regularisation.

20. Next reference was made to the case of Satya Narain Sharma Versus NMDC Limited

(1990) 4 SCC 163. In this case daily rated workers were continued on humanitarian ground inspite of the fact that there was no work and no vacancy. They had claimed regularisation and that was denied.

21. On the other hand the concerned workmen have filed extract of Industrial Disputes Act regarding the definition of industry. Its details need not be given as this matter has already been answered in favour of the concerned workmen.

22. Reference was also made to the case of Umesh Chand Pandey Versus State of U.P. 1991 Lab IC 1449 in which it was held that employees working regularly for more than 240 days for several years were entitled for regularisation.

23. Next reference was made to the case of Manik Chand Sircar Versus State of West Bengal 1990 Lab IC 598. In this case the workmen had continued for more than 3 years. They had claimed permanent status in service where as the management had set up the plea that the scheme was being wounded up. This plea of the management was also not upheld. This ruling will have no relevancy in the instant case as here the concerned workmen have not asked for permanency.

29. Reference was also made to the case of Chandra Prakash Trivedi Versus State of U.P. (3 UPCEB) 1896. In this case workers were class IV employees of Labour Department and were working for more than 8 years. They were qualified in all respect, hence High Court directed for their regularisation.

30. Now we may consider the case of Pyara Singh (Supra). It was a case of Class III and IV employees of Haryana State who were given ad hoc appointments after having served for more than some times they had claimed regularisation. It was highlighted that for regularisation there must be a post. It was further observed that where the temporary or ad hoc appointment is continued for long, the court will presumed that there is need and warrant for a regular post and accordingly regularisation should be ordered. While the court/tribunal who deals with such matters have advised to act with due care and caution. Further while making regularisation following observations was made—

There can be no rule of thumb in such matters. Condition and circumstances of one Unit may not be the same as of the other. Just because in one case a direction was given to regularise employees who have put in one year's service as far as possible and subject to full filling the qualifications, it cannot be held that in each and every case direction must follow irrespective of

and without taking into account the other relevant circumstances and considerations. The relief must be moulded in each case having regard to all the relevant facts and circumstances of the case. It cannot be a mechanical act but a judicious one.

Here reference may also be made to the case of PWD Literature Daily Wage Employees Association Versus State of Karnataka 1990 (2) SCC 396 of which following observation would be material for us.

We are alive to the position that the scheme which we have finalised is not the ideal one but as we have already stated it is the obligation of the court to individualise justice to suit a given situation in a set of facts that are placed before it.

Keeping in mind the above principles now proceed to examine if the concerned workmen are entitled for regularisation. The objection of the management is that there is no vacancy and as the employment of concerned workmen is under project which may come to an end by completion of project, these concerned workmen are not entitled for regularisation.

31. On behalf of the concerned workmen it has been submitted that their appointment has been made under Betwa River Board to supervise the work of contractors. In other words they themselves are not project employees. It is further submitted that according to preamble of Betwa River Board Reservoirs is required to be maintained which is permanent feature. Hence their employment cannot be termed as project employment. The management has not filed the copy of appointment letter of the concerned workmen to show that if their appointment was for project or not. The authorised representative of the management have drawn my attention to the statement of Ramesh Chandra Srivastava W.W.I. In his cross-examination he has admitted that the employment of concerned workmen was under project. In view of this statement I do not accept this contention of the authorised representative of the workmen and it is held that the employment was under project but it is not enough. There is no dispute that at present these concerned workmen have continuously worked for 15 to 16 years. I was also informed by the management it would take 5 or more years for completion of project. It was also conceded that after that Power Station will also be constructed at this place. There is also copy of project of the opposite party which shows that this management has to undertake other projects as well after completion of the instant project. In this way there is unusual feature in the present case. The activities of the opposite party are likely to continue for a number of years in future and that period would be enough to cover the retirement age of these concerned workmen. In

my opinion in view of this unusual feature the instant case cannot be said to be an ordinary case of project employee. The tenure of which usually lasts for 4 or 5 years, and within that time project is completed. Certainly in that case there will be no question of regularisation. However where the time is going to be very long so as to enure till the superannuation the hurdle of employee being under project should not come in the way of their regularisation.

32. As regards objection of existing vacancies it was conceded that the project of Betwa River Board is to regulate the reservoir as well which would be completed in future. For that there would be need for personnel to maintain it. It was conceded on behalf of management that there would be need of personnel for maintenance of reservoir. I had enquired from the opposite party about the number of persons which will be required, answer was not for the coming. Instead it was vaguely pointed out that Central Government has been approached for sanction of staff for maintenance of reservoirs and its strength would be round about 400. Such incident of maintenance ordinary does not happen in project which were completed in usual course. This unusual feature of the instant case and in this situation it should be inferred that there is vacancies. As has been held by Supreme Court in the leading case of Pyara Singh (supra) that because of long continued of service there will be presumption of post and in this case surely the post will be available. It may also be pointed out Hon'ble Minister for Human Resources Sri Vidya Charan Shukla had also issued a letter of assurance to the concerned workers that their services will not be put to an end and they will be absorbed else where. There are other compassionate grounds in favour of the concerned workmen. If the concerned workmen are not regularised and thrown out of service at present they would become overage and their families would be uprooted.

33. In my opinion from the above analysis of facts it becomes clear that after meeting out objections of the opposite parties management the concerned workmen have made out a case for regularisation. This regularisation will serve as an umbrella, to protect them from the policy of Hira & Fire and of course they will be entitled for wages and other facilities at par of those of other Central Government servants similarly placed.

34. Any how I am of the view that the concerned workmen are not entitled for regularisation from the date of their respective appointment. In view of above my award is that the opposite party management shall prepare a list of seniority of the concerned workmen and shall take steps for their regularisation within one year from the date of publication of this award for otherwise these concerned workmen will be deemed to be regularised after one from the date of publication of award. By regularisation they shall not be deemed to

permanent. Further these concerned workmen will be entitled to equal wages and other facilities at par to those of other Central Government employees placed in similar circumstances.

All the references are answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 10 सितम्बर, 1996

का. आ. 2882.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार पी एन टी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-9-96 को प्राप्त हुआ था।

[संख्या एल-40011/17/91-डी 2(बी)]

के. वी. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 10th September, 1996

S.O. 2828.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of P & T and their workman, which was received by the Central Government on 10-9-1996.

[No. L-40011/17/91-D. 2 (B)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. NO. 25/92

In the matter of dispute between :

Shri Prem Ballabh S/o. Shri Kanti Ballabh, Shri Rameshwar s/o. Shri Sirajuddin C/o. E-26 (Old Qtr.), Raja Badar, Baba Kharak Singh Marg, New Delhi-110001.

Versus

Chief Postmaster General, Meghdoot Bhawan, Jhandewalan, New Delhi.

APPEARANCES :

Shri B. K. Parsad for the workmen.
Shri M. K. Sharma on behalf of Anil Sehgal.
Shri Subhash Saxena for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40011/17/91-D.-2(B) dated 28-2-1991/4-3-1992 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of P & T in terminating the services of Shri Prem Ballabh, casual labour w. e. f. 13-11-1990 is justified ? If not, what relief he is entitled to ?”

“Whether the action of the management of P & T in terminating the services of Shri Rameshwar, S/o Shri Sirajudin, casual labour, w.e.f. 13-11-1990 is justified ? If not, what relief he is entitled to ?”

2. In their statement of claim, it has been alleged by the workman concerned S/Shri Prem Ballabh and Rameshwar that they were engaged as casual labourers on and from 2-4-1987 and 1-1-1988, respectively and both were allowed to work upto 12-11-1990 with Accounts Officer, Postal Division-V. Old Secretariat, under the control of Chief Post Master General, New Delhi. When they reported on 13-11-1990 and onwards, they were refused work and their services were terminated by verbal orders, while juniors to them were retained in service and some of them have been appointed on regular basis. S/Shri Ombir Singh, Mahendra Kumar, Ashok Kumar and Lalit Prasad, who were juniors to them, were subsequently re-employed or retained in service in contravention of Section 25-H of the I. D. Act, 1947. It has been further alleged that Shri Pyare Lal and Shri Raj Kumar, casual labourers, who were junior to both of them, have been appointed on regular basis, which is unjust, wrongful, illegal and void. The management have been giving wrongful and illegal break in their service with the sole intention to deny them benefits of regular and permanent workmen, while the work assigned to them was of perennial nature, which action of the management was also violative of Vth Schedule of the I. D. Act, 1947. Finally, it has been alleged that both the workmen could not alternatively be employed, despite their best efforts. They have claimed their reinstatement with full back wages, continuity of service and all consequential benefits w.e.f. 13-11-1990 in the pay scale of Rs. 750-940 or any other relief, which this Tribunal may deem fit and proper to meet the ends of justice.

3. In their written statement, the management have denied the allegations of the workmen. It has been asserted that the statement of claim has not been filed within 15 days as required under Rule 10-B of I. D. (Central) Rules, 1957 ; that Reference bad-in-law due to non-joinder of alleged juniors as parties ; that the present case falls under the exception (bb) of clause (00) of Section 2 of the I. D. Act, 1947, and that the respondent is not an “Industry” within the meaning of Section 2(j) of the I. D. Act, 1947. It has been stated that the workmen concerned, were engaged as casual labourers for doing intermittent nature of work as detailed below :—

Shri Prem Ballabh	1987	(a) 2-4-87 to 23-8-87	103 days
	1988	(b) 1-1-88 to 29-2-88	53 days
		(c) 8-3-88 to 30-3-88	
	1989	(d) 1-5-89 to 31-8-89	102 days
		(e) 6-9-89 to 31-10-89	
		(f) 27-12-89 to 31-12-89	
	1990	(g) 1-1-90 to 30-3-90	195 days
		(h) 30-4-90 to 31-7-90	
		(i) 27-8-90 to 12-11-90	
Shri Rameshwar	1988	(j) 1-1-88 to 29-2-88	191 days
		(k) 10-5-88 to 29-7-88	
		(l) 16-8-88 to 31-12-88	
	1989	(m) 1-1-89 to 31-3-89	185 days
		(n) 1-5-89 to 31-7-89	
		(o) 23-8-89 to 30-11-89	
	1990	(p) 27-12-89 to 31-12-89	193 days
		(q) 1-1-90 to 30-3-90	
		(r) 24-4-90 to 31-7-90	
		(s) 27-8-90 to 12-11-90	

4. It is also asserted by the management that the workmen concerned were engaged with Director of Accounts (Postal), Delhi and not with A. O. (Pos-

tal) Division-V, Old Secretariat; that the services of the workmen were dispensed with on completion of the work for which they had been engaged.

5. It has been further submitted by the management that for the cold weather arrangement, services of four daily rated mazdoors during the winter season, were required by the Office for which names were called from the Employment Exchange and S/Shri Om Pal Singh, Mahendra Kumar, Ashok Kumar and Lalit Prasad were sponsored and were engaged w.e.f. 13-11-1990. The names of the workmen concerned were not sponsored by the Employment Exchange. In respect of Shri Pyare Lal and Shri Raj Kumar, it has been stated that they were engaged as casual labourers, but their services were subsequently regularised as per the prevailing rules and orders of the Government of India, while the workmen concerned worked only in different short spells as daily rated mazdoors for specific nature of work on each occasion and their services were dispensed with on completion of the work for which they were engaged.

6. The workmen have not filed any document. They have, however, examined themselves in support of their case as DW-1, while the management has filed 9 documents vide their list dated 5-1-1993 and have examined Shri D. R. Puri, Deputy Director, C/o. the Director of Accounts (Postal), Delhi as M.W.-1.

7. I have heard the representatives of both sides.

8. Before I go into the merits of the case, I would like to decide the preliminary objections raised by the Management.

9. In so far as Rule 10-B of the I. D. (Central) Rules, 1975 is concerned, the same is directory in nature and on this count, the present reference cannot be challenged.

10. Regarding non-joinder of parties, it is sufficient to point out that such provision of Civil Procedure Code has no application in the matters covered under the Industrial Disputes Act, 1947.

11. The exception (bb) of clause (00) of Section 2 of the I. D. Act, 1947, is applicable only where the period of tenure is stipulated in the letter of appointment. No such letter of appointment has been placed before me by the management, hence held that the said provision of the I. D. Act, 1947 is not applicable in the present case.

12. Regarding contention that Respondent is not an industry, it is sufficient to say that in view of the decision of the Hon'ble Supreme Court in the case of Bangalore Water Supply and Drainage Board Vs. A. Rajappa reported in 1978 1 LLJ Page-349, there remains no controversy now that the Postal Department comes within the ambit of the word "Industry" as defined under Section 2(j) of the I. D. Act, 1947.

13. Thus, the preliminary objections raised by the management have no force and decided against the management and in favour of the workmen.

14. Now, I take up the case on merits. It has been alleged by the workmen that their juniors S/Shri Ombir Singh, Mahendra Kumar, Ashok and Lalit Prasad were subsequently re-employed, after termination of their services from 13-11-1990. It has also been alleged that Shri Pyare Lal and Shri Raj Kumar, who were junior to the workmen, have been appointed on regular basis in violation of Section 25-H of the I. D. Act, 1947.

15. In written statement, the management pleaded that they needed four daily rated mazdoors for which they called names from Employment Exchange and S/Shri Ombir Singh, Mahendra Kumar, Ashok Kumar and Lalit Prasad were selected and engaged w.e.f. 13-12-1990, out of the candidates sponsored by the Employment Exchange. The names of the workmen concerned were not sponsored.

16. It has not been denied by the management that Shri Pyare Lal and Raj Kumar have been appointed on regular basis, nor it has been denied that they were junior to the workmen concerned.

17. I have perused the documents filed by the management. The document dated 10-12-1990 is a letter addressed to the Employment Officer, Zonal Employment Exchange, Sabji Mandi, Delhi, wherein, it has been stated that the office of the Director of Accounts (Postal), Delhi was in urgent need of some casual labourers for short duration. In response to the said letter, names of 15 candidates were sponsored by the Employment Exchange vide their letter dated 12-12-1990. From this letter addressed to the Employment Exchange, it is clear that the office was in need of casual labourers, but instead of retaining or re-employing the workmen concerned, names of fresh candidates were got sponsored from Employment Exchange. This action on the part of the management is certainly a violation of Section 25-H of the I. D. Act, 1947, which is an independent mandatory provision requiring re-employment of the retrenched workmen. It is also clear that there was no need of dispensing with the services of the workmen concerned, when there was an urgent need. It is also clear that simply to give an artificial break in service, the services of the workmen concerned were terminated.

18. Hence, held that the action of the management of P & T in terminating the services of Shri Prem Ballabh and Shri Rameshwar w.e.f. 13-11-90, is not justified.

19. It is, therefore, directed that the workmen concerned Shri Prem Ballabh and Shri Rameshwar shall be offered regular employment in the category and scale of pay in which Pyare Lal and Raj Kumar were appointed and regularised, against any vacancy occurring in future.

1st September, 1996.

GANPATI SHARMA, Presiding Officer.

नई दिल्ली, 10 सितम्बर, 1996

का.ग्रा. 2829.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम टी एन एन के प्रबंधक के संबद्ध नियोजकों और कर्मकारों

के बीच अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं 2 मुम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-9-96 को प्राप्त हुआ था।

[संख्या एल-40012/139/93 आईआर (डीयू)]

के. वी. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 10th September, 1996

S.O. 2829.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government publishes the award of the Central Government Industrial Tribunal No. 2, Mumbai as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M.T.N.L. and their workman, which was received by the Central Government on 9-9-96.

[No. L-40012/139/93-IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI.

PRESENT :

Shri S. B. Panse, Presiding Officer.

Reference No. CGIF-2/7 of 1995.

BETWEEN :

Employers in relation to the management of Mahanagar Telephone Nigam Ltd.

AND

Their Workman.

APPEARANCES :

For the Management : Ms. S. I. Shah, Advocate.

For the Workmen : Mr. M. B. Anchan, Advocate.

Mumbai, dated the 26th August, 1996

AWARD

The Government of India, Ministry of Labour by its order No. L-40012/139/93-IR(DU), dated 14-3-1995, had referred to the following Industrial Dispute for adjudication :

"Whether the action of the management of M.T.N.L. Mumbai in terminating the services of Shri K. P. Nair, ex-mazdoor. If not, to what relief the workman is entitled to?"

2. The workman filed his statement of claim at Exhibit-3. It is averred that he joined as a casual labourer at Matunga Telephone Exchange in 1962. In 1964 he was appointed as mazdoor-cum-watchman and was confirmed on 1-11-1965. Later on he was transferred to Thane and Reay Road exchange. In 1979 he was transferred to Gamdevi Telephone Exchange.

3. The workman averred that he applied for four days casual leave as he was not well on 13-3-81. He could not recover. He extended the leave for 15 days. This leave was refused even though a medical certificate was given. He tried to explain the position to

the Asstt. Engineer but he was not ready to pay any attention. He was requesting for allowing him join the duties but he was not allowed to do so.

4. Meantime his wife fell sick. He decided to send his wife and children to Kerala. He went there, from there he send many representations to the management but he was not informed anything. Except the letter dtd. 2-3-89. It is averred that due to preoccupation he could not reply the same on 17-4-89. He again requested the management to allow him to join the duties. It is asserted that he was not served with any chargesheet nor any domestic inquiry was conducted against him. It is averred that under such circumstances his termination of service w.e.f. 13-9-89 is illegal and against the principles of Natural Justice. It is therefore proved that he may be reinstated in service with full back wages and continuity.

5. The claim is resisted by the written statement Exhibit-4. It is averred that the workman came with a false case. It is submitted that the workman was a permanent staff of the M.T.N.L. It is averred that the remained absent from 13-2-81. It is averred that the dispute which is raised by the workman is barred by limitation. It is submitted that the Tribunal had no jurisdiction to decide the matter. It is pleaded that no Government servant can remain absent without any permission of the controlling officer. It is denied that the workman ever send any letters for joining the duties as alleged. It is further submitted that in view of the circular issued by the M.T.N.L. no official who remains absent for continuously for more than 5 years should not be taken back as no authority except the President himself can grant leave of any kind for continuously exceeding five years. It is submitted that there is no merit in his case and the reference may be answered accordingly.

6. The Learned Advocate for the workman informed the Tribunal by Pursis Exhibit-7 that the workman expired. He further submitted that his widow expressed her inability to come down to Bombay from Kerala, to proceed with the matter. Mr. Anchan, the Learned Advocate in his pursis and orally also submitted that in such circumstances the management may be given direction to settle the retirement benefits of the workman at an early date. Looking to the reference I am not in a position to make any such directions to the management. But looking to the peculiar circumstances at the most I may suggest the management that as the deceased K. P. Nair was their permanent workman mazdoor with its staff No. 2501 of AGV-II of M.T.N.L. they should settle whatever dues he was entitled to till the date he remained in service. After settling the matter the dues be handed over to his legal heirs.

7. In view of the pursis Exhibit-7 it is very clear that there is no evidence on behalf of the worker. As that is so there is no reason for coming to the conclusion that the action of the management is illegal or unjustified. In the result I pass the following order :

ORDER

The action of the management of M.T.N.L. in terminating the services of Shri K. P. Nair Ex-mazdoor is justified.

S. B. PANSE, Presiding Officer

नई दिल्ली, 12 सितम्बर, 1996

का.आ. 2830.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार साऊदरन कमान्ड कैंटीन के प्रबंधन के संबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण पुणे के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-9-96 को प्राप्त हुआ था।

[संख्या एल 14012/40/94 आई आर (डीयू)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 12th September, 1996

S.O. 2830.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government publishes the award of the Central Government Industrial Tribunal, Pune as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Southern Command and their workman, which was received by the Central Government on 6-9-96.

[No. I-40012/40/94-IR(DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI P. S. SINDE, PRESIDING OFFICER, II LABOUR COURT, PUNE.

Ref. IDA No. 8/96

GOC-in-Chief, HQ Southern Command
and Chairman, Canteen Management
Committee, Pune-1.

— I Party

AND

Shri Umapathy,
Secretary,
Maharashtra Defence Canteen
Civilian Employees Union,
B/220, Parmar Nagar, Pune-13

— II Party

Sub.:—Reinstatement with full back wages and continuity of service.

APPEARANCES :

Second party absent.

AWARD

1. The Desk Officer, Government of India, Ministry of Labour has made this Reference under Clause (d) of Sub-section (1) and sub-sec. (2A) of Sec. 10 of the Industrial Disputes Act, 1947 for adjudication of the industrial dispute between GOC-in-Chief HQ Southern Command and Chairman, Canteen Management Committee (I party) and Shri Umapathy, Secretary Maharashtra Defence Canteen Civilian Employees Union (II party) over the following demand :—

“Whether the action of the management of HQ, Southern Command Canteen, Pune in ter-

minating the services of Smt. Surkha Prakash is justified and legal? If not, what relief the workman is entitled to?”

2. The II party absent. No S.C. filed till date. Hence the Reference is disposed of for not substantiating the demand. No order as to costs.

Pune.

Dated : 29-6-1996.

P. S. SINDE, Presiding Officer.

नई दिल्ली, 12 सितम्बर, 1996

का.आ. 2831.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार के प्रबंधन के संबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-9-96 को प्राप्त हुआ था।

[संख्या एल-40012/20/94 आई आर (डीयू)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 12th September, 1996

S.O. 2831.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government publishes the award of the Central Government Industrial Tribunal, No. 1, Mumbai as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Post and their workman, which was received by the Central Government on 11-9-96.

[No. L-40012/20/94-IR(DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference under section 10(1) (d) of the Industrial Disputes Act, 1947.

Reference No. 152 of 1994.

PARTIES :

Employers in relation to the management of
Post Office, Saran (Bihar).

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri M. K. Sengupta, Advocate.

STATE : Bihar.

INDUSTRY : Postal.

Dated, the 3rd September, 1996

AWARD

By Order No. L-40012/20/94-I.R.(DU) dated
24-6-1994 the Central Government in the Ministry

o Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the demand of Shri Rajeshwar Kumar, S/o. Shri Suraj Kunwar, Vill. & P. O. Kishunpur, Vill. Jalalpur Bazar, Distt. Saran for reinstatement with back wages, consequent upon his acquittal by the high Court of Judicature at Patna vide judgement dt. 27-3-92 on Criminal Revision No. 412 of 1987, is legal and justified ? If so, to what relief the workman is entitled to ?”

2. When the case was taken up for hearing Shri B. Joshi, Advocate, appearing on behalf of the management cited a decision of the Hon'ble Supreme Court reported in 1996 Lab. I. C. 1059 in which their Lordships held that the Postal and Telecommunication Department is not 'Industry'.

3. The present reference case relates to Postal Department and, as such, in view of the decision of the Hon'ble Supreme Court reported in 1996 Lab. I.C. 1059 between Sub-Divisional Inspector of Post, Vaikam and others Vs. Theyyam Joseph etc. this reference is not maintainable.

4. Accordingly, I dispose of the reference case as not maintainable under the Industrial Disputes Act, 1947.

TARKESHWAR PRASAD, Presiding Officer.

नई दिल्ली, 11 सितम्बर, 1996

का.प्र. 2832.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स टिस्को एवं उनके कर्मचारी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1 धनबाद के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-9-96 को प्राप्त हुआ था।

[संख्या एल 20012/316/90 आई आर (कोल-I)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 11th September, 1996

S.O. 2832.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Tisco and their workman, which was received by the Central Government on 10-9-1996.

[No. L-20012/316/90-IR(Coal-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD.
In the matter of a reference under Section 10(1)
(d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 264 of 1990.

PARTIES :

Employers in relation to the management of
Jamadoba Colliery of M/s. Tata Iron &
Steel Co. Ltd., P.O. Jamadoba, Dist.
Dhanbad.

AND

Thier Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri C. Prasad, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 2nd September, 1996

AWARD

By Order No. L-20012/316/90-I.R.(Coal-I) dated 15-11-90 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of M/s. TISCO Ltd., P. O. Jamadoba, Dist. Dhanbad in dismissing Shri Hridya Narayan Singh, Loco Driver is justified ? If not, to what relief the workman is entitled ?”

2. The dispute has been settled out of the Tribunal. A memorandum of settlement has been filed in this Tribunal. I have gone through the terms of settlement and I find them quite fair and reasonable. I allow the prayer and pass an award in terms of the settlement. The memorandum of settlement shall form part of this award.

3. Let a copy of this award be sent to the Ministry as required under Section 15 of the Industrial Disputes Act, 1947.

TARKESHWAR PRASAD, Presiding Officer

FORM—H

(See Rule 58)

MEMORANDUM OF SETTLEMENT

Representing the Employers :

1. Sri S. N. Pandey,
Sr. Divisional Manager (P&W),
M/s. Tata Iron & Steel Co. Ltd.

2. Sri Anwar Hashmi,
Asst. Divisional Manager (Personnel)
M/s. Tata Iron & Steel Co. Ltd.

Hon'ble Tribunal for disposing off the case
in terms of the settlement.

REPRESENTING THE WORKMEN :

1. Sri Hirdya Narayan Singh,
Ex. Loco Driver,
Ex. T. No. 25606,
Jamadoba Colliery.

SHORT RECTIAL OF THE CASE

The concerned workman Sri Hridya Narayan Singh, Ex. Loco Driver of Jamadoba Colliery of M/s. TISCO Ltd. was charged for commission of misconduct of fraud and dishonesty in connection with employer's business and the chargesheet dated 23/27-1-87 was issued to him. After holding departmental enquiry in accordance with principles of natural justice and establishing the charges levelled against him, the concerned workman was dismissed from his services with effect from 22-6-87. As the concerned Workman was dismissed from his services with effect from 22-6-87 for commission of an offence of fraud and dishonesty, his Gratuity was also forfeited and he lost chance for employment of his dependent.

The concerned workman raised an industrial dispute over the order of his dismissal in his individual capacity and the justification of his dismissal is pending before Tribunal No. 1, Dhanbad in ref. No. 264/90. The Hon'ble Tribunal has already given his findings on the preliminary issue holding that the departmental enquiry to be fair and proper. In the meantime the concerned workman has approached the management to settle the dispute amicably.

Without prejudice to the respective contentions of the parties in their respective pleadings in reference No. 264/90 pending before Tribunal No. 1, Dhanbad the industrial dispute has been amicably settled on the following terms :—

TERMS OF SETTLEMENT

1. That the concerned workman either himself directly or through any union will not press for hearing of the case in Ref. No. 264/90 and the dismissal order passed by the management will hold good for all intent and purposes for all time to come.
2. That the management will cancel the forfeiture order in respect of gratuity amount due to the concerned workmen as per the provisions of Payment of Gratuity Act, 1972 read with NCWAs and the concerned workman will be paid the full amount of gratuity. In the circumstances, he will not be entitled to interest on gratuity amount.
3. That the concerned workman will not claim for employment of his dependent in future.
4. That this settlement finally resolves all disputes and the same will be filed before the

For the Employers :

1. Sd.- (illegible)
2. Sd.- (illegible)

For the Workmen :

1. Sd.- (illegible)

Witness :

1. Sd.-
(Shashi Kumar)
2. Sd.- (illegible)

Witness :

1. Lok Nath Singh
M/D 212526
2. Niranjana Mehta
MD 218718

Dated : 24th January, 1996.

cc to : The Secretary to the Govt of India,
Ministry of Labour, New Delhi.

cc to : Chief Labour Commissioner (Central),
New Delhi.

cc to : Regional Labour Commissioner (Central),
Dhanbad.

cc to : Asst. Labour Commissioner (Central),
Dhanbad.

Regd. post with A/D.

Part of the award.

Sd.-

Presiding Officer

Central Government Industrial Tribunal-
cum-Labour Court (No. 1), Dhanbad.

नई दिल्ली, 11 सितम्बर, 1996

का.प्र. 2833.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बी सी सी एल एवं कर्मचारीगण के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निश्चित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1 धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-9-96 को प्राप्त हुआ था।

[संख्या एल 20012/(422)/93 आह्वार (कोल 1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 11th September, 1996

S.O. 2833.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1 Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the Management of M/s. BCCCL and their workmen, which was received by the Central Government on 10-9-96.

[No. L-20012/(422)/93-IR(C-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD.

In the matter of a reference under section 10(1)
(d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 15 of 1995

PARTIES :

Employers in relation to the management of
Jeenagora Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri D. K. Dey, Secretary.

STATE : Bihar, INDUSTRY : Coal

Dated, the 2nd September, 1996

AWARD

By Order No. L-20012(422)/93-I.R. (Coal-I) dated 12-1-95 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Jeenagora Colliery of M/s. BCCL, Lodna Area No. X to record the wrong date of birth of Shri Kaleshwar Singh, Attendance Clerk, in the record is justified ? If not, what relief the concerned workman is entitled ?"

2. The dispute has been settled out of the Tribunal. A memorandum of settlement has been filed in this Tribunal. I have gone through the terms of settlement and I find them quite fair and reasonable. I allow the prayer and pass an award in terms of the settlement. The memorandum of settlement shall form part of this award.

3. Let a copy of this award be sent to the Ministry as required under Section 15 of the Industrial Disputes Act, 1947.

TARKESHWAR PRASAD, Presiding Officer

Before

The Presiding Officer,
Central Government Industrial Tribunal No. 1,
Dhanbad.

Reference No. 15/95

Employers in relation to the management of
Jeenagora Colliery

AND

Their workmen.

PETITION OF SETTLEMENT

1. That the Central Government by Notification No. L-20012/422/93-IR (Coal-I) dated 12-1-1995 was pleased to refer the present case for adjudication to the Hon'ble Tribunal on the issue contained in the Schedule of reference which is reproduced below—

THE SCHEDULE

"Whether the action of the management of Jeenagora Colliery of M/s. SCCL, Lodna Area No. X to record the wrong date of birth of Shri Kaleshwar Singh, Attendance Clerk, in the record is justified ? If not, to what relief the concerned workman is entitled ?"

2. That the present dispute has been amicably settled and the concerned workman, Shri Kaleshwar Singh was sent to Apex Medical Board for assessment of his age and as per the aforesaid assessment he will retire on 17-6-1996 on the basis of age as assessed as 58 years on 17-6-1994.

3. That in view of the aforesaid facts there exist no dispute for adjudication and an Award may be passed in terms of the settlement which are mentioned below —

TERMS OF SETTLEMENT

- (a) That the concerned workman, Shri Kaleshwar Singh will be superannuated with effect from 17-6-1996 and his continuity of service will be maintained from the date of his appointment till the date of his superannuation.
- (b) That the concerned workman will not claim any benefit arising out of this present dispute and the dispute is finally resolved between the parties to all intent and all purposes.

Under the facts and circumstances stated above, the Hon'ble Tribunal will be graciously pleased to accept the terms of the settlement as fair and proper and will be pleased to pass the Award in terms of the settlement.

For the Workman :

Sd.:-

(D.K. Dey)

Secretary, DCKS

For the Employers :

Sd.:-

(A. Kalam)

General Manager,
Lodna Area

Sd.:-

(S.A.R. Rizvi)

Dy. Chief Personnel Manager,
Lodna Area.

Part of the award.

Sd.:-

Presiding Officer,

नई दिल्ली, 11 सितम्बर, 1996

का.आ. 2834-औद्योगिक विवाद अधिनियम, 1947 (1947 की 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स वी.सी.सी.एल. एवं कर्मचारी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1 धनबाद के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-9-96 को प्राप्त हुआ था।

[संख्या एल-200-12/193/94 आइ आर (कोल 1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 11th September, 1996

S.O. 2824.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1 Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 10-9-96.

(No. L-20012/193/94-IR(C-1))

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference under Sec. 10(1) (d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 227 of 1994.

PARTIES :

Employers in relation to the management of Bagdigi Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer,

APPEARANCES :

For the Employers : Shri P. K. Singh, Personnel Manager.

For the workmen : Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

STATE : Bihar. INDUSTRY : Coal.

Dated the 3rd September, 1996

AWARD

By Order No. L-20012/193/94-I.R.(Coal-I) dated 31-8-94 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Bagdigi Colliery of Lodna Area of M/s. BCCL in dismissing Sri Rameshwar Rabidas w.e.f. 7-5-92 is justified ? If not, what relief the concerned workman is entitled to ?"

2. The dispute has been settled out of the Tribunal. A memorandum of settlement has been filed in this Tribunal. I have gone through the terms of settlement and I find them quite fair and reasonable. I allow the prayer and pass an award in terms of the settlement. The memorandum of settlement shall form part of this award.

3. Let a copy of this award be sent to the Ministry as required under Section 15 of the Industrial Disputes Act, 1947.

TARKESHWAR PRASAD, Presiding Officer
BEFORE THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT DHANBAD

Reference case No. 227/94

PARTIES :

Employers in relation to the Management of Bagdigi Colliery.

AND

Their workmen.

PETITION FOR COMPROMISE

The humble petition on behalf of the parties to the above reference most respectfully shouth :—

That without prejudice to the respective contentions of the parties to the reference, the dispute has been amicably settled on the following terms :—

TERMS OF SETTLEMENT

1. It is agreed that Shri Rameshwar Rabidas, General Mazdoor will be reinstated for further assignment.
2. The period of absence right from 30-8-91 till the date of resumption of duties will be treated as diss-non.
3. No wages whatsoever will be paid or claimed by the employees in this regard.
4. Concerned workman will be on the roll of the Company from the date he joined his duty as General Mazdoor in the colliery.

REPRESENTING WORKMAN :

Sd.|-

(Rameshwar Rabidas)
Concerned workman

Sd.|-

Secretary,
Bihar Colliery Kamgar Union

REPRESENTING EMPLOYER :

Sd.|-

(S. N. Upadhyay),
Agent, Bagdigi Colliery

Sd.|-

(P. K. Singh)
Personnel Manager,
Bagdigi Colliery

Witnesses :

(1) Madhu Sudan Deo
U. G. Munshi

(2) Hari Pod. Mahato, Clerk
Part of the award.

Sd.|-

नई दिल्ली, 12 सितम्बर, 1996

का. आ. 2835.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एयरलाइन्स कॉर्पोरेशन के प्रबंधन के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2 मुम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-9-96 को प्राप्त हुआ था।

[संख्या एल 11015/3/92-आई आर (थिविव)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 12th September, 1996

S.O. 2835.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2 Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Airlines Corporation and their workmen, which was received by the Central Government on 11-9-96.

[No. L-11015/3/92-IR(Misc.)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer

Reference No. CGIT-2/38 of 1992

BETWEEN :

Employers in relation to the Management of Indian Airlines

AND

Thier Workmen,

APPEARANCES :

For the Employer : M/s. Bhasin and Company, Advocates.

For the Workmen : Mr. M. B. Anchan, Advocates. Mumbai, dated 27th August, 1996

AWARD PART-II

On 23rd January, 1996, I have passed Part-I Award and came to the conclusion that the reference does not suffer from laches or gross delay, and that the inquiry which was held against the workman was against the principles of Natural Justice.

2. Being aggrieved by the said Award the management filed a writ petition bearing No. 1223 of 1996. The said petition came for hearing before Their Lordships. The writ petition came to be disposed in view of consent minutes signed by the parties.

3. Today, the Learned Advocate for both the parties filed a purshis Exhibit-29 informing the Tribunal in view of clause-4 of the minutes of the consent and order passed by Their Lordships on 6-8-96. The reference may be disposed off as no dispute award.

4. In the result I pass the following order :

ORDER

In view of the settlement between the parties the reference is disposed off as no dispute between the parties.

S. B. PANSE, Presiding Officer

नई दिल्ली, 16 सितम्बर, 1996

का. आ. 2836.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वा. सी. सी. एल. एकरा तथा कर्मचारी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण नं.-2 धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-9-96 को प्राप्त हुआ था।

[संख्या एल-20012/280/90-आई आर (कोल-I)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 16th September, 1996

S.O. 2836.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL Ekra and their workmen, which was received by the Central Government on 11-9-96

[No. L-20012/280/90-IR(Coal-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, (NO. 2) AT DHANBAD

PRESENT :

Shri D. K. Nayak, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 54 of 1991

PARTIES :

Employers in relation to the management of Central Workshop of M/s. BCCL, Ekra and their workmen

APPEARANCES :

On behalf of the workmen : Shri D. Mukherjee, Secretary,

Bihar Colliery Kamgar Union

On behalf of the employers : Shri H. Nath, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 3rd September, 1996

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/280/90-LR. (Coal-I), dated, the 19th March, 1991.

SCHEDULE

"Whether the action of the management of M/s. BCCL in denying promotion to Shri Ram Udar Ram in Cat. V w.e.f. 1-10-75, Cat. VI w.e.f. 4-2-1981 and in technical Gr. 'C' w.e.f. 5-6-83 ignoring his seniority & promoting his juniors is justified? If not, to what relief the workman is entitled?"

2. The case of the concerned workman Ram Udar Ram as it appears from his W. S. is that he was appointed as a Fitter in the Central Workshop and has been working therein since 1-10-75 i.e. the date of appointment having unblemished record of service.

3. Though as per recommendation of Wage Board which has statutory force he is entitled to be posted as Cat. V since 1-10-75 but he was paid with wages of Cat. IV from 1-10-75 to 3-2-81.

4. Thereafter he was given Cat. VI but he was entitled to get Cat. V on 1-10-75 and Cat. VI on 3-2-81 and then to Tech. Grade 'C' since 5-6-93 as B. N. Jha got such promotion to Cat. IV with effect from 4-2-1981 though he was appointed as Welder Helper with effect from 8-12-75 as he was able to oblige high official.

5. Inspite of several representation by the concerned workman himself and through the sponsoring union he was denied with the promotion as claimed above having as reason whatsoever.

6. That inspite of recommendation of G. M. this workman was denied with such promotion though it was given so to Sri B. N. Jha as per recommendation of same G.M. Thereby he was promoted to Tech. Grade 'C' with effect from 3-3-88 though he was appointed in Cat. II worker w.e.f. 8-12-1975.

7. As this workman was denied with such promotion as stated above the dispute was raised before ALC(C) Dhanbad who referred the matter to the Ministry finding the claim of the concerned workman to be with substance and thereby the present reference arose for the decision of this Tribunal as per terms of reference.

8. The concerned workman claims Cat. V w.e.f. 1-10-1975 Cat. VI w.e.f. 4-2-1981 and Tech. Grade 'C' w.e.f. 5-6-83 with all arrears of wages and for other reliefs.

9. The management in their W.S.-cum-rejoinder has stated that the reference is ad in law.

10. Further case of the management is as the reference relates to claim of promotion of the concerned workman he cannot claim it if it is not established that he was superseded in any way or any discrimination took place in giving promotion of workman of same category. Further more promotion cannot be claimed as a matter of right. It depends upon various factors, such as aptituded-cum-seniority, vacancy etc.

11. It is stated further by the management that the concerned workman joined in Cat. IV on 1-10-75 and he was promoted from time to time as stated by him in his W.S. and as per cadre scheme. As and when the time will come the promotion of the concerned workman would be considered.

12. That Ram Udar Ram and B. N. Jha do not belong to same cadre of service and thereby their promotion cannot be at the same para. In case of B. N. Jha his promotion was considered as a cadre of Welder Helper. So no discrimination was caused as stated.

13. That before the ALC(C) Dhanbad all the matters were explained by the letter of Dy. Chief Personnel Manager vide letter No. PBA/PER/R-II 89/3086 dt. 4-9-89.

14. That each cadre is to get promotion as per cadre scheme circulated by J.B.C.C.I. so neither the concerned workman nor any employee can claim promotion beyond that and thereby the claim of the concerned workman as per terms of reference is illegal, unjustified and the reference is to dispose of against him both from the angle of legal and factual position.

15. In the rejoinder it is stated that Ram Udar Ram accepting the job of Fitter in Cat. IV joined in Ekra workshop on 1-10-75 and he was promoted to Cat. V on and from 4-2-81 and V to VI from 1-4-86 and presently the concerned workman is drawing wages of promoted Cat. VI and at no point of time his promotion was denied.

16. It is stated further that the promotion cannot be claimed as a matter of right but it was given as scheme circulated by J.B.C.C.I. In that scheme the concerned workman is to complete 4 years to become eligible for promotion to next Cat. grade. His case for promotion in next grade will be considered by the promotion committee in due course.

17. That it is stated lastly that no discrimination took place in the matter of promotion and it was considered properly and effect was given as per Rules and cadre.

18. In the instant case both the parties have relied upon series of documents and oral evidence adduced by the respective parties. Now let me consider those material for the decision of the reference.

19. The concerned workman Ram Udar Ram was appointed as a Fitter in Cat. IV on 1-10-75 as deposed and since then he was started working in Ekra Workshop as Fitter. His evidence also discloses that on and from 4-2-81 he was promoted in Cat. V. But his demand is that Fitter working in workshop is entitled to get the grade Cat. V and thereby he was to get promotion in Cat. VI on 4-8-81. Thereafter G. M. recommended for giving him grade 'C' w.e.f. 5-5-83. He has referred the case of Sri Jha and his promotion from time to time was made he has reached to Technical Grade-C though both of them got appointment more or less at the same time. On the other hand from the management side one witness was examined and he had deposed that the concerned workman was appointed as Fitter in Ekra Workshop. It is admitted by him that the concerned workman is now working in Cat. VI. But his demand as stated in the statement of the workman and in reference is denied.

20. In the instant case a short point arises as it appears from the reference itself. On careful scrutiny of the reference it would go to show that I am to

decide whether denying of promotion by BCCL to Shri Ram Udar Ram in Cat. V with effect from 1-10-75, Cat. VI with effect from 4-2-81 and technical Grade-C with effect from 5-6-83 ignoring his seniority and promoting his juniors is justified? Therefore this the terms of reference by themselves go to show that the denial of promotion to the concerned workman has been raised on the allegation i.e. seniority and promotion has been ignored by giving so to his juniors.

21. It is a settled principle of law that we cannot travel beyond the terms of reference and in that case reference itself is unintelligible and baseless considering the simple fact alone that the concerned workman cannot get promotion to Cat. V on 1-10-75 as he was appointed as a Fitter in Cat. IV accepting the said category and joined in service on 1-10-75. So it is preposterous to think that a workman who joined on 1-10-75 in Cat. IV is entitled to get promotion on the very date of his joining. I think the matter was misconceived by all concerned by raising the dispute and accepting the same by the ALC(C) and referring the matter by the Ministry to this Tribunal that the said concerned workman was denied with promotion by the management of BCCL on the very date of his joining on 1-10-75.

22. Besides that fact I have carefully perused the Wage Board Recommendation and subsequent NCWAs and Job description and it is an admitted position that Fitters are of two categories one is of Cat. IV and other is of Cat. V. From N.C.W.A. it appears that Fitter in Cat. IV on completion of 3 years is entitled to get promotion in Cat. V. It is needless to say that entitlement of promotion is one thing and to get a promotion is other thing as because it depends upon the various factors such as vacancies aptitude in the work etc. It is not disputed that the concerned workman get promotion from time to time as it is admitted by the workman himself in his statement as well as in his written statement from Cat. IV to VI.

23. Now the question is as per terms of reference this Tribunal is to consider whether his promotion has been denied at any stage ignoring his seniority by way of giving promotion to his juniors.

24. The case of concerned workman is that one Mr. Jha who was appointed in the same year i.e. in the year 1975 as Welder in Grade-II and as he has got promotion in Technical Grade-C in the meantime and as this workman being senior in service has not yet received promotion to Grade-C he is contending that he has been deprived from promotion superseding him by giving promotion to Mr. Jha to Technical Grade-C. After careful consideration I have no hesitation to observe that this is a baseless demand considering the fact that the post of Welder of the post of Fitter are not of the same cadre and in that case in most of the service employees of different cadres get promotion at different point of time within their cadre strength and scope irrespective of the seniority in the service. As for example there are various services within All India Service such as IAS, IPS, IFS etc. and in all the cases it is not expected that the different service holders of different cadres will get the scale and promotion at

a time as their promotion depends upon the vacancies within the cadre scheme itself.

25. So if Mr. Jha within the cadre of Welder get Technical Grade-C earlier then that of the concerned workman appointed as a Fitter cannot be considered to be denial of his promotion as he is senior in service than that of Mr. Jha which has been urged by the concerned workman in the present reference.

26. Incidentally it may be observed that the category of the Fitter was changed from time to time and it is within the two categories such as Cat. IV and V and on 1-10-75 when the concerned workman joined as Fitter in Cat. IV and from time to time he enjoyed the promotion accepting the same then in the year 1990 or 1991 raising the dispute he cannot claim so as by way of acceptance promotion in different categories from time to time he is waived his right any though it is observed that he has as right as per rules and in view of the terms of the reference.

27. Though there is no law of limitation applicable in the I.D. Act but it has been observed by the Hon'ble Supreme Court and also by different Hon'ble High Court that there must be some limitation in raising the claim otherwise there will be no check in the litigation and thereby it is held in catena of decision that in case of state claim the delay should be explained otherwise the delay itself debar a person from getting any redressal as claimed. However, at present I refer one decision reported in 1993 Lab I find that there is no explanation for this delay that inordinate delay is a just and proper ground for refusal to make a reference and allow the claim if that delay remain unexplained. Similar view has been taken in 1994 B.B.C.J. 498 of Hon'ble Patna High Court relying upon a decision of the Hon'ble Supreme Court reported in 1959 Supreme Court page 1217 that state claim should be discouraged if the satisfactory explanation does not come in.

28. In the instant case I have carefully perused the materials on record both documentary and oral and I find that there is no explanation for this delay rather I find from time to time that the concerned workman accepted the promotion from Grade-IV to V, Grade-V to VI and the reason best known to him how he has been encouraged to raises this dispute.

29. Accordingly it is held that no miscarriage of justice has been caused to the concerned workman nor I find the action of the management of BCCL in any way to be denial of the promotion to the concerned workman Ram Udar Ram as pointed out in the reference ignoring his seniority and promoting his juniors as claimed.

30. Therefore, the reference is disposed off against the concerned workman with further finding that he is not entitled to get any relief in this reference. However, the management will see so that he gets his promotion as he has got already to the next higher grade in the course of time as per rules.

This is my Award.

D. K. NAYAK, Presiding Officer

नई दिल्ली, 12 सितम्बर, 1996

का.प्रा. 2837 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार किसान मजदूर सहकारी समिति के प्रबंधन के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्विष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, अजमेर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-9-96 को प्राप्त हुआ था।

[संख्या एल-29012/105/95-आई आर (विविध)]

बी.एम.डेविड, डेस्क अधिकारी

New Delhi, the 12th September, 1996

S.O. 2837.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Ajmer as shown in the Annexure, in the industrial dispute between the employers in relation to the mangement of Kisan Mazdoor Sahkari Samiti and their workman, which was received by the Central Government on 11-9-1996.

[No. L-29012/105/95-IR (Misc.)]

B. M. DAVID, Desk Officer

अनुबंध

न्यायालय—श्रम न्यायालय एवं औद्योगिक न्यायाधिकरण, अजमेर
प्रकरण संख्या सी आई टी आर 2/9696

रेफरेंस संख्या 29012/105/95 दिनांक 28-2-96
महामंत्री राजस्थान खनिज मजदूर यूनियन,
राजस्थान बैंक के सामने,
भीलवाड़ा (राज.)

—प्रार्थी

बनाम

प्रबंधक, किसान मजदूर सहकारी समिति, निमिटेड,
प्रतापनगर, पुर रोड, भीलवाड़ा (राज.)

—प्रार्थी

समक्ष

श्री हरिसिंह अस्नानी आर एच जे एस
प्रार्थी की ओर से — श्री नंद लाल वर्मा महस के
प्रार्थी की ओर से — श्री मदन लाल विन
दिनांक 26-8-96 उपस्थित

अवाद :-

1. भारत सरकार ने निम्न विवाद अधिनिर्णय हेतु इस न्यायालय को प्रेषित किया है :-

"क्या अध्यक्ष किसान मजदूर सहकारी समिति भाटू प्रताप नगर भीलवाड़ा के द्वारा 18 कर्मचारियों (सूचि संलग्न है) को दिनांक 13-9-94 से सेवा पृथक किया जाना उचित एवं बेध है? यदि नहीं तो श्रमिक किस राहत के अधिकारी हैं?"

2. प्रार्थी यूनियन ने किसान मजदूर समिति जरिद्वे इसके अध्यक्ष (जिसे संक्षेप में नियोजक कहेंगे) के विरुद्ध स्टेटमेंट ऑफ क्लेम संक्षेप में निम्न आक्षेप का पेश किया है :-

यह कि श्रमिक ने नियोजक के अधीन 240 दिन से अधिक कार्य किया और वे सब नियमित नियोजन की श्रेणी के कर्मकार थे। नियोजक ने 14-8-94 को अनुचित एवं अनाधिकृत सूचना प्रसारित कर भीलवाड़ी खान का स्थाई रूप से बन्द कर दिया है।

2. यह कि तालाबन्दी से प्रभावित होने के कारण यूनियन ने समझौता अधिकारी से यहां विवाद उठाया।

3. यह कि किसी भी उद्योग को बन्द करने के लिए औद्योगिक विवाद अधिनियम की धारा 25 एफ में बताये गये प्रावधानों की पालना किया जाना आवश्यक है और नियोजक ने इसकी पालना नहीं कर खान और कार्यालय को बन्द करने की राज्य सरकार को सूचना भी नहीं दी और मुद्रावजा राशि का भी भुगतान नहीं किया गया।

4. प्रार्थीगण ने श्रमिकों की 13-9-94 को सेवानियुक्ति को अनुचित घोषित करने की प्रार्थना की है तथा पुनः नियोजन में पद स्थापित होने का आदेश चाहा है।

3. नियोजक ने अपने जवाब में यह कथन किया है कि प्रार्थीगण ने नियोजक के यहां एक कलेण्डर वर्ष में 240 दिन की सेवा अवधि पूर्ण नहीं की है अतः उन पर औद्योगिक विवाद अधिनियम के प्रावधान लागू नहीं होते हैं और विपक्षी द्वारा प्रसारित आदेश दिनांक 14-8-94 अनुचित या अवैध नहीं बल्कि एक माह के अग्रिम सूचना पत्र के रूप में विधि अनुसार प्रसारित किया गया था। श्रमिक गण का नियमित नियोजन नहीं था और उनको एक माह का नोटिस मिल गया था श्रमिक को नियमित वेतन और बोनस आदि का भुगतान किया जा चुका है और कोई राशि देय नहीं है। नियोजक के यहां खान का कोई कार्य नहीं रहने से एक माह का अग्रिम सूचना पत्र प्रसारित करने के बाद ही काम बन्द किया गया था। और श्रमिकों की ओर से यूनियन को अधिकृत नहीं किया गया है और सभी श्रमिक अन्य जगह व्यवसाय में कार्यरत है और अनुतोष के अधिकारी नहीं हैं।

4. प्रार्थी की ओर से मोहन, जगदीश, राजु, नंद लाल एवं नंद लाल मोहनी को साक्ष्य पेश किया गया है। नियोजन की ओर से मदन लाल को पेश किया गया है।

5. मैंने पत्रावली का सवधानी से अवलोकन किया तथा उभय पक्ष को सुना।

6. दोनों पक्षों ने कलेम और उल्लेखित तथ्यों को तर्कों के रूप में दोहराया।

7. श्रमिक पक्ष के समस्त गवाहान द्वारा प्रस्तुत खपख पत्र का तात्त्विक सार यह है कि बिना पूर्व सूचना के एवं बिना छंटनी मुआवजे की राशि के नियोजक ने उनको 13-9-94 को अवैध रूप से सेवा मुक्त कर दिया और नियोजक की खान व कार्यालय अभी भी चालू है। मामले में पैरवी हेतु यूनियन के महामंत्री को अधिकृत किया गया है।

8. यूनियन के महामंत्री श्री नंद लाल वर्मा ने अपने खपख पत्र में कहा कि सभी प्रार्थीगण उनकी मुक्ति के हैं तथा उनके पंजीयन क्रमांक भी वर्णित है। उनके अनुसार सभी श्रमिकगण नियोजक के नियमित नियोजन में थे

नियोजक ने दिनांक 13-9-94 को अनुचित रूप से सेवा से हटा दिया और कोई छंटनी का मुआवजा या सूचना नहीं दी और कारण भी नहीं बताया और श्रमिकगण बेकार ही बैठे हैं।

श्रमिक मोहन ने अपनी प्रतिपरीक्षा में यह स्वीकार किया है कि उन्हें कहा गया था कि काम बन्द हो गया है और जगदीश प्रसाद ने भी यही कहा है कि नियोजक ने नोटिस लगा दिया था कि काम बन्द हो गया है। यही स्थिति श्रमिकगण राजू, नंद लाल ने भी कही है और महामंत्री नंद लाल वर्मा ने भी काम बन्द होने की सूचना को स्वीकार किया है किन्तु महामंत्री ने यह कहा है कि व्यक्तिगत रूप से किसी श्रमिक को सूचना नहीं दी गई और उन्हें मुआवजा दिया गया और वर्तमान में काम चल रहा है। श्रमिक नंद लाल ने कहा है कि उसे अलग से सूचना नहीं दी गई। नियोजक के गवाह मदन लाल ने अपनी साक्ष्य में कहा है कि नियोजक को प्रतिवर्ष 50-60 हजार रुपये का घाटा हो रहा है; उनका माल भी नहीं बिक रहा है इसलिए काम देने की स्थिति में नहीं है। खान पानी से भर गई और इसलिए नीचे चली गई। छोटे टेके पर काम चल रहा है और नियोजक ने काम बन्द कर दिया है और ठेकेदार ही माल निकाल कर रुपये खूद रख लेते हैं। नियोजक के यदि पुनः माल निकालना चालू कर दिया तो वापस चालू कर दिया जायेगा। नियोजक के खाते में केवल 8000/- रु. ही जमा होने और जैसे तैसे काम चल रहा है। इस गवाह ने इस सुमाव का खंडन किया है कि अधिक को हक नहीं दिसाने के लिए ठेकेदारों को रख लिया हो। इस गवाह के अनुसार यदि ठेकेदार मजदूरों को पैसे नहीं देते तो भी नियोजक देने की स्थिति में नहीं है और समिति के सदस्य के परिवार वाले भी आपस में अनौपचारिक रूप से काम चला रहे हैं।

9. क्लेम एवं पत्रावली के श्रवणोक्त में यह प्रकट होता है कि नियोजक का व्यवसाय बन्द हो गया था और इस बाबत नियोजक ने सूचना भी प्रसारित कर दी थी किन्तु व्यक्तिगत रूप से श्रमिकों को सूचना नहीं दी गई। प्रार्थना पत्रों में यह स्थिति प्रकट होती है कि श्रमिक मोहन ने 29-6-69, जगदीश ने 21-7-79, राजू ने 22-6-81 से, नंद लाल ने 28-10-85 से कार्य करना शुरू किया था और इस बारे में प्रतिपरीक्षा में कोई प्रश्न नहीं पूछा गया है।

10. पत्रावली में दिनांक 13-8-96 को नियोजक द्वारा प्रस्तुत एक प्रार्थना पत्र भी विद्यमान है जिसमें यह वर्णित किया है कि 18 श्रमिकों की सूची में से हनुमान और देवी लाल इस्तीफा देकर चले गए। और श्रमिक बिहारी लाल 20-10-93 से ही भर्ती हुआ था और उसने कुल 221 दिन काम किया। अतः नियोजक के

अनुसार इन तीनों श्रमिकों ने 240 दिन की अवधि पूरी नहीं की है और उन पर औद्योगिक विवाद अधिनियम के प्रावधान लागू नहीं होते। इसमें कहा गया है कि पत्रा लाल श्रमिक को गेच्युटी का भुगतान 1994-95 में नहीं हुआ बाकी सभी को भुगतान किया जा चुका है।

इस प्रार्थना पत्र का प्रार्थना की ओर से खण्डन नहीं किया गया है। मैने कार्यकर्ताओं के मूल रजिस्टर का भी अवलोकन किया जो वर्ष 1990 का बताया जाता है। इसके कॉलम नम्बर 15 में कार्य-कार के पासपोर्ट साईज के फोटो लगे हुए हैं। किन्तु इस मूल रजिस्टर में काफी श्रमिकों के फोटो जो चिरे हुए थे, उखाड़े हुए नजर आते हैं और उस स्थान पर कागज फटा हुआ है जिससे रजिस्ट्रों के रखरखाव की भी बहुत ही दयनीय स्थिति परिलक्षित होती है।

11. नियोजक के गवाह ने अपने बयान में यह कही नहीं बताया है कि श्रमिकगण ने 240 दिन कार्य नहीं किया हो यद्यपि उसका प्रार्थना पत्र रिकार्ड पर है जिसका खण्डन नहीं करने से हम उस स्थिति को उस सीमा तक स्वीकार कर सकते हैं। नियोजक के गवाह की साक्ष्य से यह स्थिति सामने आती है कि नियोजक की स्थिति बहुत ही दयनीय है और जब उसके बैंक के खाते में 8000/- रुपये है तब यह अपेक्षा नहीं की जा सकती कि वह 15-16 श्रमिकों को वापस नौकरी पर रख लेगा जब कि खान में काम हो बन्द होना स्वयं क्लेम में ही बताया जाता है नियोजक के गवाह ने यह स्थिति जरूर प्रकट की है कि जब माल निकालना शुरू हो जायेगा और स्थिति ठीक होगी तो वापस खान चालू हो जायेगी किन्तु फिलहाल नियोजक का अनौपचारिक रूप से जैसे तैसे कार्य चल रहा है जिस प्रकार की साक्ष्य और प्रलेख हमारे सामने हैं उनके अवलोकन से मैं इस निष्कर्ष पर पहुंचता हूं कि श्रमिकों को एक मार्थजनिमक रूप से नोटिस के द्वारा काम बन्द करने के कारण हटा दिया गया और उनकी छंटनी का मुआवजा या नोटिस आदि व्यक्तिगत रूप से नहीं दिया गया। नियोजक ने औद्योगिक विवाद अधिनियम की धारा 25 एफ की पालना नहीं की है किन्तु वर्तमान परिस्थितियों में नियोजक को श्रमिकों को पुनः कार्य पर रखने का आदेश देना न्यायोचित नहीं प्रतीत होता।

समस्त हालात पर गौर करते हुए प्रेषित विवाद का अधिनियम इस प्रकार किया जाता है कि :—

“अध्यक्ष किसान मजदूर सहकारी समिति भाद्र प्रताप नगर भीलवाड़ा के द्वारा श्रमिकगण हनुमान, देवीलाल और बिहारी दास को छोड़कर अन्य श्रमिकों की 13-9-94 से सेवामुक्ति उचित एवं वैध नहीं है और ये श्रमिकगण नियोजक से उन्हें देय छंटनी मुआवजे की राशि प्राप्त करने के अधिकारी हैं जो नियोजक अशा करे और जब नियोजक की सान में कार्य पुनः शुरू हो जावे

तब वरिष्ठता के अनुसार सेवा पृथक किये गये श्रमिकों को कार्य करने का अवसर दे"।

[श्री आई टी आर 2/96]
हार्गिह अम्नाली, न्यायाधीश

नई दिल्ली, 13 सितम्बर, 1996

का. अ. 2838 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केनारा बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-9-96 को प्राप्त हुआ था।

[संख्या एल-12012/308/91-आई. आर. टी. 2]
सनातन, अनुभाग अधिकारी

New Delhi, the 13th September, 1996

S.O. 2838.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, MADRAS as shown in the Annexure, in the industrial dispute between the employers in relation to the management of CANARA BANK, and their workman, which was received by the Central Government on 11-9-1996.

[No. L-12012/308/91-IR (B-II)]
SANATAN, Section Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL,

TAMIL NADU, MADRAS

Monday, the 22nd day of July, 1996

PRESENT :

THIRU S. THANGARAJ, B.Sc., L.L.B.

INDUSTRIAL TRIBUNAL

INDUSTRIAL DISPUTE NO. 23 OF 1992

[In the matter of the dispute for adjudication under Section 10(1)(d) between the Workman and the Management of Canara Bank, Madras-1].

BETWEEN

The Workman represented by
The General Secretary,
Canara Bank Employees Union,
31 Moore Street,
MADRAS-600 001.

AND

The Deputy General Manager,
Canara Bank,
Disciplinary Action Cell,
Circle Office, Madurai.
2287 GI/96—12

REFERENCE :

Order No. L-12012/308/91-IR (B.II) dated 12-3-92, Ministry of Labour, Govt. of India, New Delhi.

This dispute coming on for final hearing on Wednesday, the 26th day of June 1996, upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru N. G. R. Prasad for Tvl. Row & Reddy, Balan Haridas and K. Indira, Advocates appearing for the workman and of Thiru T. S. Gopalan, Advocate appearing for the management, and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

The Government of India by its letter No. L-12012/308/91-IR(B.II), dated 12-3-1992 referred for adjudication by this Tribunal under Sec. 10(1)(d) of the Industrial Disputes Act 1947 regarding the dispute:—

“Whether the action of the management of Canara Bank in terminating the services of Shri K. Sankaralingam, sub-staff, is justified? If not, to what relief is the workman entitled to?”

After services of notices the workman and the respondent filed their claim statement, counter statement and reply statement respectively.

2. The main averments found in the claim statement filed by the workman are as follows :

The workman K. Sankaralingam joined the respondent-bank as a sub-staff temporary employee during the year 1981. He was made a permanent sub-staff on and from 2-9-84. He was discharging his duties with sincerity and honesty. While the workman was working as a sub-staff at Gnanaoli-vupuram, Madurai, he was suspended under the proceeding dated 9-5-86 in connection with Crime No. 616 of 86 of Madurai B 11 Police Station for an offence under Sec. 397 I.P.C. Subsequently the workman was charge sheeted saying that he has misused the official position and derived pecuniary benefit, fraudulently, unauthorisedly and unlawfully and appropriated loan amounts payable to third parties. The workman denied all the charges. An enquiry was held against the workman and he participated in enquiry. On the findings given by the Enquiry Officer, the workman was discharged from service with effect from 27-7-87. The workman preferred an appeal to the Managing Director which was also dismissed on 5-5-89. The charge sheet was not signed by the Deputy General Manager a competent authority and therefore the entire proceedings are vitiated. At the time of sanctioning of loan in DPN 50 of 93 on 6-12-83 the workman was only a daily wage earner and there was

no opportunity for him to misuse his position. The workman was suspended in connection with the criminal case which had no connection with disciplinary proceedings. As a temporary staff he did not influence the respondent bank officials to get the loan sanctioned in favour of his relations. The bank did not examine the persons who gave the complaints against the workman in respect of second and third charges. The statement obtained by way of letters from persons cannot be relied on in the enquiry proceedings. In the respondent bank loan payments are made through account payee cheques and the workman had no opportunity to encash the cheque. Mr. Gururajan, Senior Manager who disbursed the loans was not examined in the enquiry. Mr. C.K. Andrews who gave a written complaint against the workman was not examined in the enquiry. Gananolivupuram branch of the respondent bank has sanctioned a loan in favour of Mr. C.K. Andrews in DPN/SE/272/84 and another loan by Town Hall Road branch in DPN/SSI/143/85 and so he had obliged the bank by giving written complaint against the workman. In the written complaint given by Mr. C.K. Andrews one B. Sundar his brother-in-law has signed as witness. B. Sundar has got a loan at Gananolivupuram branch in SEP/UP/SB/41/86. Regarding the charge no. 1 Kanakaraj and Manonmani were not examined. The enquiry officer has acted as prosecutor. The workman has been implicated falsely. For the above said reasons the order of discharge may be set aside and workman S. Sankaralingam may be reinstated with continuity of service and full back wages.

3. The main averments found in the counter filed by the respondent are as follows :—

The workman Shri K. Sankaralingam was working as a sub-staff in Gananaolivupuram branch, Madurai. On 13-3-86 when the Inspecting Officer of the respondent inspected the branch he found certain loans were recommended by the concerned workman. When the matter was probed into it was transpired that the workman on the ostensible reason of grant of loans in the names of third parties but were really utilised by him. One Tmt. Manonmani the mother's sister of the workman opened a savings bank account No. 9000 on 2-4-83. On 3-11-83 the account was converted into "either or survivor" account, with the inclusion of her husband M. Kanagaraj. On 6-12-83, DPN No. 50 of 83 for Rs. 7,000 was granted to Mrs. Manonmani and a cheque for Rs. 7,800 was issued on 7-12-83 and the workman encashed the same. He has also made remittances on 4 dates for the said loan. On 19-9-84 DPN Loan No. 270/84 for Rs. 4,300 was granted to one Mr. Subramani. The loan was paid by an uncrossed pay order No. 361/84 and it was credited to account of one Kanthiapillai. Investigation revealed that the workman gave the pay order to one Mr. C.K. Andrews who got the pay order encashed through Kanthiapillai, and handed over the money to the workman. On

21-9-84 DPN 274 of 84 for Rs. 4,700 was granted to one Ranjendran and the loan was disbursed by way of uncrossed pay order for Rs. 5,362.35 dated 21-9-84, and on investigation it was found that the amount was credited to the current account of Kumaresan and Nagasamy who informed that the pay order was encashed at the instance of MJP finance who in turn confirmed that the pay order was given to them by C. K. Andrews who admitted that the money was paid to the workman. For the above misconducts a charge sheet was issued on 5-8-86 to the workman concerned. A domestic enquiry was held and the workman appeared in the domestic enquiry and the enquiry officer gave his report on 25-4-87 holding that all the 3 charges against the workman were proved. On 16-5-87 the workman appeared for personal hearing to show cause to the proposed punishment of discharge from the services of the bank and after hearing his representation, the proposed punishment was confirmed. On the basis of the report of the enquiry officer, the Deputy General Manager passed an order imposing the punishment of "have his misconduct condoned and be merely discharged from the services of the bank". Shri U.A. Mallya was the acting Deputy General Manager on 5-6-86 when the charge sheet was issued to the concerned workman and was empowered to issue the charge sheet. When the transaction in DPN 50 of 83 took place the concerned workman was a daily wage earner and his conduct was not amenable to the disciplinary jurisdiction. The disciplinary action taken against him misconceived. After the inspection his misconducts came to light when he was a sub-staff and though the misconduct was committed by him while he was a daily wagger, and action has been taken against him. Since the enquiry officer does not have the powers of a court to compell the attendance of outside witnesses, some of the witnesses could not be examined in the enquiry. The evidence adduced in the enquiry was sufficient to establish the misconduct of the workman. The Tribunal while adjudication the dispute and exercising the powers under Sec. 11-A of the Industrial Disputes Act can independently come to the conclusion as to whether the charges against the workman are proved. The procedure adopted by the enquiry officer are correct. The enquiry and the findings of the enquiry officer are not vitiated. The proposed punishment given by the enquiry officer is just and valid and in accordance with the Canara Bank service code and the Bi-partite Settlement. The order passed by the Disciplinary Authority and also the Appellate Authority are valid and the workman is not entitled to get any relief as prayed for by him.

In the reply statement the workman has stated that in the criminal case he was acquitted on 7-4-94. As a sub-staff the workman cannot recommend any loan to any party and he cannot avail any loan sanctioned to third parties. The workman

preferred an appeal on 7-9-87 and the Appellate Authority passed the order on 20-5-89 after 2 years. The Appellate Authority should have disposed of the appeal within 30 days as per the mandatory provisions of the Bi-partite Settlement. The order of Appellate Authority is vitiated. The workman did not commit any of the charges levelled against him and he may be reinstated.

The point for determination is :—

1. Whether the action of the management of Canara Bank in terminating the services of Shri K. Sankaralingam sub-staff is justified? If not to what relief is the workman entitled to?

The petitioner union has raised this dispute regarding the discharge of a workman by name Shri K. Sankaralingam sub-staff in the Gananolipuram Madurai Branch of the respondent Canara Bank. While the workman Shri K. Sankaralingam was a sub-staff in the said branch of the respondent, on 5-8-86, the Deputy General Manager for the General Manager has framed 3 charges against the workman. The workman denied the charges and departmental enquiry was held against the workman. As the culmination of the enquiry the enquiry officer submitted his findings stating that all the 3 charges have been proved against the workman. A notice for proposed punishment was issued and the workman was given sufficient opportunities to explain his stand and after considering the representation of the workman the management discharged him from service. The workman preferred an appeal and the appeal was also dismissed by the Appellate Authority. Thereafter this Industrial Dispute has been raised by the union challenging the order of discharge passed against the workman by the management.

The first charge has been framed against the workman that DPN loan 50 of 83 for Rs. 7,000 has been sanctioned on 6-12-83 to one Shrimathi, K. Manonmani for purchase of machinery parts for an ice factory that the workman misused his official position and got the loan sanctioned in the name of K. Manonmani received the cheque, utilised the amount and repaid the loan himself. The workman denied having misused his official position to get the loan sanctioned with the help of his aunt Shrimathi K. Manonmani and utilised the same for his own benefit. It was the case of the Management that the workman while servicing in the said branch misused his official position and by using the name of his aunt got a loan DPN 50/83 sanctioned in her name obtained the cheque and with the help of one Andrews he deposited the cheque in the account of one Kanthiapillai, got the cheque encashed and received the money from him. One Shri Ratnam, Inspecting Officer who has found out the transactions at the time of his inspection was examined as the first witness on the side of the management before the enquiry officer and he has stated that various factors regarding the

transactions. It was contended that in the SB account of Smt. K. Manonmani her husband was also included and the account was one of "either or survivor". The proper witnesses who can speak about the transactions are Smt. K. Manonmani, her husband Shri M. Kanagaraj, Shri C.K. Andrews the person who acted as mediator between the workman and Shri Kanthiapillai who had encashed the cheque by depositing the same in his account and sent the money to the workman through Andrews. All these 4 persons have not been examined on the side of the management. Among them Smt. K. Manonmani was examined on the side of the workman as DW1 and she had clearly stated that the workman being her sister's son was living with her, that she requested him to get the cheque on her behalf, that she got the amount from the workman and the workman repaid amounts given by her towards the loan outstanding. It was the case of the management that there was no ice factory as alleged in the loan application and the transaction was fraudulent one. However, DW1 Smt. K. Manonmani has filed Ex. D1 to D5 before the Enquiry Officer to prove the existence of ice factory. The Enquiry Officer in his findings has stated that Exs. D1 to D5 show that Smt. K. Manonmani was carrying on ice business. The real question arose was whether the loan proceeds in DPN 50 of 83 was utilised by Shri K. Sankaralingam? However, Exs. D1 to D5 clearly prove the existence of ice factory. It is clear that there was an ice factory run by Smt. K. Manonmani and her husband Kanagaraj and the loan was obtained for purchasing machinery parts for the ice factory. When Smt. K. Manonmani has deposed in favour of the workman saying that the loan was obtained by her for the ice factory, there cannot be any charge against the workman. Shri Kanagaraj has not been examined in the enquiry. In fact when the inspecting authorities questioned him, he refused to give any statement. MW4 has deposed that Shri Kanagaraj told them that he helped Shri Sankaralingam by availing the loan and he informed him that the loan was already closed. The enquiry officer placed reliance on the statements of MW1 and MW4. Shri Kanagaraj refused to give any statement to MW1 and MW4. In such circumstances he could not have told MW1 and MW4 that he helped Shri Sankaralingam by availing the loan. The best person who could speak about the availing of loan will be Shri Kanagaraj. When Shri Kanagaraj refused to give statement the evidence of MW1 and MW4 that Shri Kanagaraj told them that he helped Shri Sankaralingam by availing the loan cannot be accepted. On a complaint given by Shri Ratnam. (MW1) the workman and 5 others were accused in a Criminal case under Sec. 307, 397 read with 109 and 397 read with 109 I.P.C. and the case in SC No. 179/89 ended in acquittal. The copy of the judgement is found in the documents filed by the worker and it

is not marked as an exhibit. When Shri Ratnam had filed a Criminal case against the workman, his evidence is not free from interestedness. The evidence of MW4 regarding the alleged statement given by Kanagaraj before them cannot be accepted. When Kanagaraj refused to give statement to that effect. The evidence of Smt. K. Manonmani is contrary to what is alleged to have been stated by Shri Kanagaraj before MW1 and MW4. In such circumstance from the evidence of MW4, it cannot be said that Shri Kanagaraj made statement implicating the workman. Shri C. K. Andrews who acted as a mediator between the workman and Shri Kanthiapillai has not been examined. Shri Kanthiapillai who encashed the cheque and paid the amount to Shri C.K. Andrews has not been examined. So, it is clear that all the witnesses those who could speak about the transactions, regarding charge no. 1 have not been examined. Smt. K. Manonmani who was examined by the workman has deposed against the case of the management.

In *Indian Airlines Vs. W.B. Correya* 1978 II LLJ P. 437 our High Court has held that the statement recorded earlier cannot be utilised as sufficient evidence and the witnesses must be examined in the enquiry in the of the Delinquent Officer and he must be given an opportunity to cross-examine such witness. In the case statements of witnesses were recorded in the absence of the charge sheeted employee and in the enquiry the witnesses were permitted to look into such statements and the charge sheeted employee was asked to cross-examine the witnesses. Our High Court has held that what happened really in that case was only a mockery of enquiry and not an enquiry in the real sense. In the instant case Shri Kanagaraj refused to give any statement. However, MW4, had deposed that Shri Kanagaraj told them that the workman got the loan sanctioned in their name and utilised the amount for himself. When Shri Kanagaraj has refused to give a statement the evidence of MW4 as if Shri Kanagaraj has given an oral statement implicating the workman cannot be accepted. Shri C.K. Andrews and Shri Kanthiapillai the other two witnesses who could speak about the transactions were also not examined in the enquiry. The Enquiry Officer has based his findings on the statement of MW1 and MW4 and had taken it for granted as if those witnesses had stated those facts. Except the evidence of MW1 and MW4, there is nothing on record to show that the workman had misused his official position and got the loan amount sanctioned in the name of Shrimathi K. Manonmani and utilised the amount for own benefit. In this regard it is also not out of place to point out that Mr. Santhanam a bank official who was examined on the side of the workman has clearly stated that MW1 Ratnam threatened the workman and compelled to give inculpatory statement. When such was the attitude of the bank officials against the workman, by basing reliance

on their evidence we cannot reach any safe conclusion. It was argued on the side of the management that what is required in a departmental enquiry is preponderance of probabilities and not beyond all reasonable doubts. There is no difference of opinion regarding the evidence which is required in a departmental enquiry. However when direct evidence can be had from the persons those who were involved in the transactions it is better to examine such persons to prove those facts and instead we cannot depend on the testimony of bank officials whose evidence cannot be accepted for various reasons stated above. There is no proper evidence to prove charge No. 1 against the workman. The well-laid principle of preponderance of probabilities is lacking in this case. So it is clear that charge No. 1 has not been proved against the workman.

Charge No. 2 reads that in the said branch of respondent bank DPN loan 270/84 for Rs. 4,300 was sanctioned in the name of one Shri Subramani to purchase cycle for cycle hire shop and an uncrossed pay order was issued to the said Shri Subramani and the workman with help of one Shri Andrews got the pay order deposited in the account of one Shri Kanthiapillai in Bank of Madura, received the amount, and utilised the same for his own benefits. The witnesses those who can speak about the transaction are Shri Subramani in whose name the DPN loan was sanctioned Shri C. K. Andrews who stood as an intermediary and Shri Kanthiapillai in whose account the pay order was deposited were not examined. Here also the management has examined MW1 & MW 4 to speak about these transactions and the enquiry officer in his findings had come to the conclusion that this charge has been proved against the workman.

In the foregoing paragraphs various reasons have been given for not accepting the findings of the enquiry officer. All those reasons are applicable to this charge also and so, from the evidence available on record we cannot support the finding of the enquiry officer in respect of charge No. 2, also.

Charge No. 3 says that one Shri Rajendran was granted DPN Loan 274 of 84 for Rs. 4,700 to purchase cycles for cycle hire shop and an uncrossed pay order was issued for Rs. 5,362.35 that the charge sheeted workman who got the pay order, deposited the same in the current account maintained by Kumaresan and Nagasamy in Punjab National Bank, Madurai through one MPJ finance to whom Shri C. K. Andrews handed over the pay order collected the amount and paid to the workman who utilised amount for his own benefit. Here again Shri Kumaresan, Shri Nagasamy and the manager MPJ Finance have not been examined in the departmental enquiry. As already stated Shri C. K. Andrews has not been examined to speak about the transactions. The only evidence available on record is that of MW4. We have already

stated sufficient reasons while discussing charge No. 1 for not accepting the evidence of MW1 and also the evidence of MW1. The enquiry officer has liberally used various statements alleged to have been given by the witnesses who were not examined in the enquiry. Above all, Shri Rajendran who was the best witness to speak about the transactions, was not examined in the enquiry. The findings arrived at by the Enquiry Officer is not based on preponderance of probabilities. Therefore, the findings arrived by the enquiry officer in respect of charge No. 3 also cannot be supported.

During the relevant period the workman was employed as a Peon (Sub-staff) in the Gnanaolivupuram, Madurai branch of the respondent-bank. He was a peon and he had no authority to sanction any loan or to obtain any pay order in favour of third parties. The workman was not working in the concerned department to pave the way for sanctioning of loan by recommending and placing the records before the sanctioning authority. While considering the humble position held by the one workman at the time of these 3 transactions, no believe that he was instrumental to sanction material to believe the findings of the Enquiry Officer that the workman while employed in the bank got the loan sanctioned in the names of various persons who are known to him.

The allegations that the workman encashed the pay order issued in favour of Smt. K. Manonmani and converted the proceeds to his own use has not been proved. In charges 2 and 3 it has been alleged that the workman got the pay order encashed through one Shri C. K. Andrews and converted the same to his own use. The said Shri C. K. Andrews is a material witness and he has not been examined in the enquiry. Shri Kanthiapillai, who encashed the pay order issued to Shri M. Subramani, has not been examined. With regard to the charge no. 3, Thiru Rajendran, in whose name the loan sanctioned was not examined. Shri Kumarasan, and Shri Nagasamy, in whose account the pay order were deposited was also not examined. The Manager of MPJ finance who was instrumental in depositing the pay order in the Punjab National Bank to the current account maintained by Shri R.K. Kamaresan and Shri S. Nagasamy was also not examined. Shri S.K. Andrews who did it through the manager of MPJ finance was also not examined. So, to prove the charges, the witnesses those who can speak about the charges have not been examined. Therefore, the findings of the Enquiry Officer that all the three charges have been proved against the workman cannot be accepted.

It was contended on the side of the management that the workman who was employed as a peon has done so much of harm to the reputation of bank and if he is allowed to continue in service

any further, the business of the bank will be paralysed. To answer this plea raised by the management, the learned counsel appearing for the petitioner-union has drawn my attention to the ruling of our Supreme Court in *Michael and another Vs. M/s. Johnson Pumps India Ltd.* 1975 1 LLJ P. 262 at 269 wherein it was held:

"Before we conclude we would like to add that an employer who believes or suspects that his employee, particularly one holding a position of confidence, has betrayed that confidence, can, if the conditions and terms of the employment permit, terminate his employment and discharge him without any stigma attaching to the discharge. But such belief or suspicion of the employer should not be a mere whim or fancy. It should be bonafide and reasonable. It must rest on some tangible basis and the power has to be exercised by the employer objectively, in good faith, which means honestly with due care and prudence. If the exercise of such power is challenged on the ground of being colourable or malafide or an act of victimisation or unfair labour practice, the employer must disclose to the Court the grounds of his impugned action so that the same may be tested judicially."

From the decision of our Supreme Court it is clear that loss of confidence is often a subjective feeling or individual reaction to objective set of facts and motivations. The Court has to see whether termination simpliciter may be bonafide or a colourable exercise of power. In the instant case, the respondent/management has no valid reason to plead loss of confidence on the workman. As already stated the workman being a peon in the bank had no authority either to sanction the loan or to issue cheque or to misuse his official position in causing harm to the bank, which will make the authorities to lose confidence on him. As a peon he cannot act independently in order to subvert the discipline of the bank. The workman who is a peon has no such official power to mismanage the affairs of the bank or to cause harm to its reputation. So, the plea of loss of confidence on the workman, raised by the management cannot be accepted.

From the foregoing discussion it is clear that the action of the management of Canara Bank in terminating the services of Shri K. Sankaralingam, sub-staff is not justified. While considering the relief which has to be granted to the workman the petitioner union cited a ruling of the Supreme Court of India in *Desh Raj Gupta Vs. Industrial Tribunal IV, Lucknow & Anr.* (1991 1 LLJ P 120). In the said decision the Supreme Court in a similar case has held that the workman entitled of the salary from the date of dismissal. By following the dictum laid down by

our Supreme Court while granting the relief it should be held that the workman in the instant case shall be reinstated with full back wages from the date of dismissal.

In the result, an award is passed for reinstatement of Shri K. Sankaralingam, Sub-staff with full back wages from the date of dismissal.

Dated, this the 22nd day of July, 1996.

S. THANGRAJ, Industrial Tribunal

WITNESSES EXAMINED,

For both sides : None.

DOCUMENTS MARKED

For Workman :

- Ex. W-1|9-5-86 : Suspension order issued to Th. K. Sankaralingam (Xerox copy).
- Ex. W-2|5-8-86 : Charge memo issued to Th. K. Sankaralingam (Xerox copy).
- Ex. W-3|5-8-86 : Proceedings of the Enquiry Officer (Xerox copy).
- Ex. W-4|25-4-87 : Findings of the Enquiry Officer (Xerox copy).
- Ex. W-5|16-5-87 : Personal hearing on the proposed punishment (Xerox copy).
- Ex. W-6|18-5-87 : Findings of the Officer (Xerox copy).
- Ex. W-7|22-7-87 : Order of discharge issued to Th. K. Sankaralingam (Xerox copy).
- Ex. W-8|29-7-87 : Proceedings of Deputy General Manager (Xerox copy).
- Ex. W-9|17-9-87 : Letter from Appellate Authority (Xerox copy).
- Ex. W-10|20-5-89 : Order of the Appellate Authority (Xerox copy).
- Ex. W-11|16-5-86 : Report by Thiru V. Ratnam (Xerox copy).
- Ex. W-12|6-12-83 : Debit slip for Manonmani (Xerox copy).
- Ex. W-13|7-12-83 : Amount drawn by Manonmani by cheque (Xerox copy).
- Ex. W-14|10-4-84 : Cheque issued by K. Sankaralingam (Xerox copy).
- Ex. W-15|10-4-83 : Remittance slip (Xerox copy).
- Ex. W-16|29-7-84 : Cheque issued by Th. K. Sankaralingam (Xerox copy).
- Ex. W-17|29-7-84 : Remittance slip (Xerox copy).
- Ex. W-18|28-9-84 : Remittance slip (Xerox copy).
- Ex. W-19|29-3-85 : Remittance slip (Xerox copy).
- Ex. W-20|28-9-84 : Cheque for Rs. 250| (Xerox copy).

- Ex. W-21|22-4-83 : Savings Bank opening form of Manonmani (Xerox copy).
- Ex. W-22|22-4-83 : Account sheet of Manonmani (Xerox copy).
- Ex. W-23|6-12-83 : Loan application by Manonmani (Xerox copy).
- Ex. W-24|6-12-83 : DPN Ledger sheet (Xerox copy).
- Ex. W-25|6-12-83 : Letter from Th. Kanthiah Pillai (Xerox copy).
- Ex. W-26|26-4-86 : Letter from A. K. Andrews.
- Ex. W-28|25-4-86 : Letter from Th. R. K. Kumaresan (Xerox copy).
- Ex. W-29|17-3-76 : Velmurugan Cycle Mart Current account opening form (Xerox copy).
- Ex. W-30|27-3-76 : Partnership letter (Xerox copy).
- Ex. W-31|27-3-76 : Loan application form of Th. Subramanian (Xerox copy).
- Ex. W-32|15-9-84 : S.B. A/c opening form of Th. Subramanian (Xerox copy).
- Ex. W-33|15-9-84 : Ledger sheet of Th. Subramanian (Xerox copy).
- Ex. W-34|19-9-84 : Loan application of Th. Subramanian (Xerox copy).
- Ex. W-35|19-9-84 : Loan ledger sheet of Th. Subramanian (Xerox copy).
- Ex. W-36|19-9-84 : Loan application by Th. Rajendran (Xerox copy).
- Ex. 37|21-9-84 : S.B. A/c opening form of Th. Rajendran (Xerox copy).
- Ex. 38|21-9-84 : Loan application of Th. Rajendran (Xerox copy).
- Ex. 39|21-9-84 : Loan ledger sheet of Th. Rajendran (Xerox copy).
- Ex. 40|27-4-87 : Proposed punishment imposed on Th. K. Sankaralingam (Xerox copy).
- Ex. W-41|16-5-87 : Letter by Th. K. Sankaralingam to the enquiry officer on the proposed punishment (Xerox copy).
- Ex. W-42|7-9-87 : Appeal preferred by Th. Sankaralingam (Xerox copy).
- Ex. W-43|7-9-87 : Written submission by Th. S. Naranjan over the findings and proposed punishment by the Enquiry Officer (copy).

नई दिल्ली, 13 सितम्बर, 1996

का. आ. 2839 — औद्योगिक विवाद अधिनियम 1947 (1447 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल. आई. सी. ऑफ इंडिया के प्रबंध-तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधि-

करण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-9-96 को प्राप्त हुआ था।

[संख्या एल-17012/17/92-आई. आर. बी. 2]
सनातन, अनुभाग अधिकारी

New Delhi, the 13th September, 1996

S.O. 2839.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of LIC of India and their workmen, which was received by the Central Government on 11-9-96.

[No. L-17012/17/92-IR(B-II)]
SANATAN, Section Officer

**ANNEXURE
BEFORE THE INDUSTRIAL TRIBUNAL,
TAMIL NADU, MADRAS**

Tuesday, the 1st day of August, 1995

PRESENT :

Thiru N. Subramanian, B.A.B.L., Industrial Tribunal

Industrial Dispute No. 66/1992

(In the matter of reference for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workmen and the Management of LIC of India, Madras.)

BETWEEN

Sh. P. Jayakumar,
No. 16, Pugalendi Keelaperumbakkam,
Villupuram,
South Arcot Distt.

AND

The Senior Divisional Manager,
LIC of India,
Madras Division,
Madras-600 002.

REFERENCE :

Order No. L-17012/17/92-IR(B.II), dated 30-7-92, Ministry of Labour, Govt. of India, New Delhi.

This dispute coming on this day for final disposal in the presence of Thiru S. Masilamani, Advocate appearing for the Management, upon perusing the reference, claim and counted statements and other connected papers on record and the workmen being absent, this Tribunal passed the following :—

AWARD

This reference has been made for adjudication of the following issue :

“Whether the action of the Management of LIC of India, in terminating the services of Sh. P. Jayakumar, Apprentice Development Officer w.e.f. 2-7-85 vide order dated 10-9-85, is justified ? If not, to what relief the workman is entitled ?”

Petitioner not present. Petitioner did not appear from August, 1994. Today also petitioner not present. Hence I.D. is dismissed for default. No costs.

Dated, this the 1st day of August, 1995.

N. SUBRAMANIAN, Industrial Tribunal

नई दिल्ली, 13 सितम्बर, 1996

का. आ. 2840 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्यू बैंक ऑफ इंडिया (पी. एन. बी.) के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-9-96 को प्राप्त हुआ था।

[संख्या एल-12012/51/86/डी 4 ए/आई. आर. बी. 2]
सनातन, अनुभाग अधिकारी

New Delhi, the 13th September, 1996

S.O. 2840.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of New Bank of India (PNB) and their workman which was received by the Central Government on 11-9-96.

[No. L-12012/51/86-DIVA/IR(B-II)]
SANATAN, Section Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 17/87

In the matter of dispute :

BETWEEN

Shri Raj Kumar, Peon/Packer Represented by
The General Secretary, New Bank of
India Staff Association C/o New Bank

of India, C-1, Shivaji Park, Punjabi Bagh, New Delhi.

Versus

The Regional Manager, New Bank of India,
1, Tolstoy Marg, New Delhi

APPEARANCES :

Workman in person

Shri Brijender Batra—for the Management

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/51/86-D. IV (A), dated 26th February, 1987 has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the demand of Shri Raj Kumar Peon/Packer through the General Secretary, New Bank of India Staff Association for regularisation as a Sub-ordinate staff with the management of New Bank of India, 1, Tolstoy Marg, New Delhi is justified? If so, from what date and with what other benefits?”

2. It is alleged that Shri Raj Kumar has been in the employment of New Bank of India and till his removal from job in May, 1986 and right from the beginning of his job i.e., August, 1982 he has been doing the job of a cleaning of table tops, serving of drinking water, packaging of stationery etc. all at the orders of officers of the Respondent Bank.

That the employer had been paying him & Rs. 0.85 pause per bundle of stationery packaged invocation of Shastri Award and subsequent Bipartite Settlement as there is no provision of piece rate wages.

That his removal from job was actuated as the claimant demanded regularisation of his service as per Shastri Award which provides in para 508 for the following types of employees only—

1. Permanent
2. Permanent Part Time
3. Temporary and
5. Probationers

and payment according to Bipartite Settlement in force which do not provide for any piece rate wages.

It was now demanded that the Claimant's service be regularised w.e.f. August, 1982 and his wages fixed according to provisions of Bipartite Settlement. It is further demanded that the Claimant be paid the arrears due to him.

Further as his removal from job is mala fide and motivated and no notice, no retrenchment compensation was given to him, he be given interim relief by way of fixing subsistence allowance for him till the determination of the dispute by this Tribunal, and any other relief that this Court may deem fit in the case.

3. The Management in its written statement repudiated the grounds taken in the statement of claim and alleged as under :—

That there is no contract of employment between the Applicant and the Respondent Bank as he was doing the assignment purely on contractual basis/piece-rate basis, as and when needed. In the absence of there being any relationship of master and servant between the Bank and the applicant, the so-called claim purported to have been signed Shri Bharat Bhushan as General Secretary of New Bank of India Staff Association, is untenable and baseless.

That it is common knowledge that the banking industry is governed by the Bank Awards as modified by Bipartite Settlement dated 17-9-1984. The alleged union cannot be permitted to contend contrary thereto as long as the said Awards/Bipartite Settlements are in force.

That it is well settled law that no demand can be raised when the Awards/Settlements are in force as per principle enunciated by the Hon'ble High Court of Delhi in the case entitled—Hindustan Housing Industry—reported in 1971 LIC 222 (D.B.) upholding its previous decision reported in 1969 LIC 1450.

That the legislature as a matter of public policy in its recent amendment of 1984, have clearly stated that even where there is a relationship of master and servant on contractual basis (which in the instant case is conspicuously absent), such a contract of person can be determined in terms of the contract.

That the claim as made by the Union is totally malicious, vexatious and untenable in view of the admitted fact, to the knowledge of this Union, that it is a minority union having no representative character to negotiate or settle with the management as such. All the settlements have been arrived at with the

majority union namely, All India New Bank of India Employees Federation, which are still in force, the minority Union's members have also been deriving the benefits thereunder. As such the contention of the Union is against the public policy, which has other no locus standi.

That the Peon Staff have been appointed on regular basis and are posted at Stationery Department Head Office, as well. Therefore, there is no question of the Applicant's doing the job of Peon as falsely alleged.

That the matter does not constitute an industrial dispute within the meaning of Section 2(k) of the Industrial Dispute Act, 1946, in view of the patent aspect that the Claimant are not the workman, he has no legal right and the aforesaid Union cannot raise the dispute either.

That without prejudice to the above, it is submitted that the NBI Staff Association is not a representative body of the employees of the Bank and has no locus standi to espouse the cause of the Applicant and thus, there is no industrial dispute within the meaning of Section 2(k) of the I.D. Act.

That without prejudice to each and every contentions, it is submitted that as per the settlement between All-India New Bank of India Employees Federation, a majority Union and representative body and the Respondent Bank, there is well settled procedure laid down for employing the sub-staff on regular basis. Merely, because a person is joined the assigned job on contractual basis/piece-rate basis as and when needed, does not confer any right for regular appointment particular when the appointment on regular basis as sub-staff when it is incumbent upon the Respondent Bank, which is a statutory banking corpn./Company, to undergo the necessary formalities which are obligatory for recruitment of the persons as sub-staff which includes not only espousing the names by the Employment Exchange but to undergo with other formalities of test/interview as well. The Applicant contrary to the aforesaid procedure in accordance with the settlement, rules and regulations cannot claim regular post as sub-staff with the Management.

That without prejudice to each and every contentions, it is submitted that the terms of reference are clearly without application of mind, untenable

and in any case are infructuous. In this respect, it is submitted that in para-1 of the claim, the Applicant himself alleges that he has been allegedly removed from the job in May, 1986. If his case is that, he has been removed from job, then he can only raise the dispute regarding the alleged removal and the question of regularisation to the post of sub-staff does not arise even on this ground.

That the claim is not filed by the proper person. In fact, the terms of reference mentioned the parties as Respondent Bank and the Applicants as General Secretary NBI Staff Association. However, in the present case, the Applicant has been wrongly mentioned as Raj Kumar, who has signed statement of claim.

4. The Management examined Shri O.P. Rathi, Deputy Chief MW1 and M.L. Bhanwari MW2. Workman Raj Kumar himself appeared as WW1 and Kewal WW2.

5. I have heard representatives for the parties and have gone through the record.

6. The representative for the management has reiterated all that was alleged in the written statement and has mainly pointed out that the workman's relationship with the management was that of a contractor and not of an employer and employee. The recruitment to the bank is not made in the manner alleged by the workman and a no recruitment can be made on a contract basis employee into a regular employee without giving an opportunity to eligible persons for the post. The question of removal of Raj Kumar does not arise because he was not an employee of the bank. The workman representative on the other hand has urged that the workman was being paid salary on the basis of work done by him regularly and he was working under the control and supervision of the management as admitted by the management witnesses.

7. After perusal of the points urged before me by the representatives for the parties I am of the opinion that the workman has no case on the basis of which he could be declared to be an employee of the management. At the outset, it is pertinent to mention that the claim of the Claimant that he was appointed by the Bank does not hold good in view of the fact that there was no privity of contract of employment involving relationship of master and servant between the Bank and the Applicant such a person does not come within the meaning of the term 'workmen' Section 2(S) is produced below for ready reference and convenience:—

"2(s) "Workman" means any person (including an apprentice employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or

supervisory work or hire or reward whether the terms of employment be express or implied, and for the purposes of any proceeding under this Act is relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with or as a consequence of,

that dispute, or whose dismissal, discharge or retrenchment has led to that dispute, but does not include any such person:—

- (i) who is subject to the Air Force Act, 1950 (45 of 1950), or the Army Act, 1950 (45 of 1950) or the Navy Act, 1957 (62 of 1957), or
- (ii) who is employed in the police service or as an officer or other employee of a prison; or
- (iii) who is employed mainly in a managerial or administrative capacity; or
- (iv) who, being employed in a supervisory capacity draws wages exceeding one thousand six hundred rupees per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature."

The aforesaid section which defines the terms 'Workman', the first part of it brings in the concept of employment between the employer and the employee unless there is a relationship between the employee and the employer, because of such relationship, the person who is engaged by the employer, the person comes to be known as employee, unless there is such a relationship, the term "workman" will not come into force as it happens in this present case before the Hon'ble Tribunal where there is no relationship between the claimant and the Respondent Bank. Because of the fact that whenever a person is appointed by the Bank, a due process of selection is followed that includes advertising the post in the Newspapers followed by an interview letter which is followed by the interview and the appointment but as none of these things happened in the present case with respect to the Claimant, he cannot raise the present claim and moreover he has no right to raise the present claim. In the words of Bhagwati Justice 'the essential condition of a person being a workman within the terms of this definition is that he should be employed to do the work in that industry, that there should be, in other words an employment of his by the employer and that there should be the relationship between the employer and him as between employer and the employee or master and servant. Unless a person is thus employed, there could be no question of being a workman within the definition of the term as contained in the act'. This was held in the case-Dharangadhare Chemical Works Vs.

State of Saurashtra 1957 (1) LLJ 477 (480) SC. In this context, it is also pertinent to quote the judgment of Tungbhradra Sugar Works Pvt. Ltd. Vs. Labour Court, Mangalore 1983(1) LLJ 465.

- (ii) That as detailed in the written statement that the present reference made by the appropriate Government to the Hon'ble Court does not constitute an Industrial Dispute within the meaning of Section 2(k) of the I.D. Act and the reference is also liable to be rejected on this ground as well. Section 2(k) is reproduced below for ready reference and convenience :—

"2(k) "industrial dispute" means any dispute or difference between employers and employees, or between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour of any person."

The aforesaid definition clearly stipulates that it is only the dispute or the difference between the employer and employees or between employers and workman or between employers and workmen, or between workman and workman. But as no such ingredient is satisfied in the present case as the Claimant being not a workman cannot raise such an Industrial Dispute and the same should be liable to be rejected.

- (iii) The engagement of the Claimant was purely on temporary basis for a fixed duration in connection with the assignment and/or in relation to the said parties godown. The cessation of his assignment as per his own admission was with effect from May, 1986. He was duly paid and settled of and as such the matter does not constitute retrenchment in view of the recent amendment Act, w.e.f. 19-4-1984.

- (iv) The relative provisions of Section 2(bb) as inserted by the said amendment Act is reproduced hereunder for your good-self ready reference and convenience :—

"2(cc) Retrenchment, but does not include....."

- 2(bb) Termination of the services of a workman as a result of non-renewal of contract of employment between the employer and the workman concerned on its expiry of such contract being terminated under stipulation in that behalf contained therein."

The aforesaid amendment having been made by way of public policy so as to achieve desired object as per legislative enactment as aforesaid

coupled with the subsequent events as is evident from the amending Act, the matter does not warrant any interference in the circumstances of the case. This clause of 2(bb) has been inserted as aforesaid by the amending Act, 1949. This effect is to exclude from the ambit of the definition of retrenchment, (i) termination of the services as a workman as a result of non renewal of the contract of employment between the employer and the workman concerned on its expiry, (ii) the termination of the contract of employment in terms of stipulation contained in the contract of employment. The expression such contract in the second part of the clause refers to contract of employment between the employer and the workman concerned. In other words, it there is a stipulation in the contract of employment between the employer and the workman concerned providing the ambit and manner of termination of service, such termination of service has now specifically been exempted from the ambit of definition of retrenchment by this clause.

- (v) The provision with regard to engagement of a claimant as a packing the material i.e. packing of parcels as and when the work exists by the Respondent as that of the Applicant is covered by the Bipartite Conciliation Settlement dated 19-10-1966 read with Bank's Award and the same have not been modified even by the Fourth Bipartite Settlement. As such, these are still in force. In accordance therewith, the Applicant has no legal right to ask for absorption in the Bank. His cessation of the engagement have been effected according to his assignment of packing the material i.e. packing of parcels on piece-rate basis @ Rs. 0.85 paise per parcel for packing, which is valid and proper in the circumstances of the case.

The Respondent Bank has rightly submitted that it is well settled law that as long as the settlements are in force, no demand contrary thereto can be raised, as per principles enunciated by the Hon'ble Delhi High Court in the case entitled—HINDUSTAN HOUSING FACTORY LTD. WORKMAN AND ITS MANAGEMENT—reported in 1971(2) LLJ (DB) page 221 upholding the Hon'ble Single Bench Judgment reported in 1969 LIC 1450 and the same has recently been approved by the Hon'ble Supreme Court.

In the circumstances, the contentions of the Applicant contrary thereto and the provisions of the settlement, he has no locus standi to agitate the same and as such the matter, by no stretch of imagination, can be treated to constitute an industrial dispute either. In his connection, the Respondent Bank drawn your honour's kind attention is the decision of the Hon'ble Supreme Court in the case

entitled—SIRSIK MILLS LTD. VS. STATE OF ANDHRA PRADESH followed by the larger bench Judgment in the case entitled—MADAN MOHAN PATHAK (LIC CASE) reported in 1973(1) LLJ 349—recently followed by the Supreme Court in the case entitled LIC Vs. D. J. BAHADUR reported in 1981 LLJ Page 1.SC.

- (vi) That it is a well settled law that where the matter does not constitute an industrial dispute, as in the instant case, as per principles enunciated by the Hon'ble Delhi High Court in the case entitled—DTC Vs. DELHI ADMN. reported in 1973(2) LLJ 306, the whole proceedings are coram non-judice and this Hon'ble Authority too lacks the jurisdiction, it being well settled position in law that in such a situation even the consent of the parties cannot confer the jurisdiction (AIR 1954 SC 340).
- (vii) That the Respondent Bank is a public undertaking and is bound by the directions and/or instructions of the Govt. of India. As per Central Govt. Policy directives, the Bank cannot make any fresh recruitment. As such the Applicant, who is otherwise not entitled to any relief, has no legal right either.
- (viii) That the claim as filed by the Applicant does not constitute industrial dispute. It is malacious and vexatious and warrants to be dismissed in the circumstances of the case.

The Respondent Bank has stressed on the fact that the Applicant was given the assignment of packing material i.e. packing of parcels in the Stationary Department of the Bank, on piece-rate basis @ Rs. 0.85 per parcel for packing. The applicant may come to Bank at his will and may not do the assignment, if he so desires. There is no control or supervision of the bank over him. The assignment is purely subject to the exigency and availability of work relating to parcels, if required by the bank. His assignment was thus purely contractual on piece-rate basis without any control or supervision of the Bank and further depend upon the exigencies of the job as such. The cessation of his assignment as per his own admission was w.e.f. May, 1986. He was duly paid and settled of and as such the matter does not constitute retrenchment and also in view of the latest amendment Act, the matter does not warrant any interference in the circumstances of the case. Parties to bear their own costs.

1st September, 1996.

GANPATI SHARMA, Presiding Officer

